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Rebecca McDowell Cook
Secretary of State

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 24, *Missouri Register*, page 27. The approved short form of citation is 24 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than 180 calendar days or 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

extended by the Missouri and United States Constitutions. The duration of the emergency amendment is limited to the time necessary to provide adequate registration supplies for upcoming elections. Emergency amendment filed September 26, 2000, effective October 6, 2000, expires April 3, 2001.

(5) The postcard voter application form which is incorporated herein by reference shall be reproduced in the following form:

**Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 4—Postcard Voter Application and Forms**

EMERGENCY AMENDMENT

15 CSR 30-4.010 Postcard Voter Application and Forms. The division is replacing the form that follows this rule in the *Code of State Regulations*.

PURPOSE: This amendment clarifies language related to the use and dissemination of information collected on, and replaces the postcard voter application form.

*EMERGENCY STATEMENT: This emergency amendment replaces and corrects the disclaimer language on the bottom of the Missouri Voter Registration Application form. This amendment must be promulgated as an emergency in order to preserve the compelling governmental interest of providing sufficient and accurate postcard voter registration forms prior to the 2000 general election voter registration deadline. The Secretary of State's office is currently without an adequate supply of voter registration application cards. Without this emergency the office will be required to order additional cards at taxpayer expense that may not strictly comply with federal law. A proposed amendment covering the same material will be submitted at the same time for publication in the **Missouri Register** to allow for public comment to assure fairness to all interested persons and parties and to comply with the protections*

MISSOURI VOTER REGISTRATION APPLICATION

USE PEN - PLEASE PRINT CLEARLY

PC

YOUR APPLICATION WILL BE CONFIRMED BY MAIL WITHIN 7 BUSINESS DAYS. CONTACT THE ELECTION AUTHORITY IF YOU DO NOT RECEIVE NOTIFICATION.

1 <input type="checkbox"/> NEW REGISTRATION <input type="checkbox"/> ADDRESS CHANGE <input type="checkbox"/> NAME CHANGE				FOR OFFICE USE ONLY REGISTRATION NO.	
2 Mr. Mrs. Miss Ms.	LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX (CIRC. F) JR. SR. III IV	
3 ADDRESS WHERE YOU LIVE (HOUSE NO., STREET, APT. NO. OR RURAL ROUTE AND BOX NO.)			CITY	COUNTY	ZIP CODE
4 ADDRESS WHERE YOU GET YOUR MAIL (IF DIFFERENT FROM #3 ABOVE)			CITY	STATE	ZIP CODE
5 DATE OF BIRTH		PLACE OF BIRTH (OPTIONAL)*	6 LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER**	7 DAYTIME PHONE NO. (OPTIONAL)*	
MO. DAY YR.					
8 NAME AND ADDRESS ON LAST VOTER REGISTRATION			10 I hereby certify that I am a citizen of the United States and a resident of Missouri. I am at least seventeen and one half years of age. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or a misdemeanor connected with the right of suffrage, I have had the voting disabilities from such conviction removed pursuant to law. I swear under penalty of perjury that all statements made on this card are true to the best of my knowledge and belief.		
NAME _____ ADDRESS _____ CITY _____ STATE _____ COUNTY _____			Date _____ Signature _____		
9 RURAL VOTERS. COMPLETE THIS SECTION IF YOU LIVE OUTSIDE THE CITY LIMITS OF ANY CITY. I live _____ miles N S E W (circle one) of _____ (landmark or junction). Section, Township and range _____ My neighbors are _____					

Warning: Conviction for making a false statement may result in imprisonment for up to five years and/or a fine up to \$10,000.

MO 231-0169 (8-99)

*Information designated as optional is disclosed at the option of the registrant and will be used only by authorized officials to combat voter fraud and facilitate orderly elections.
**Required for registration unless no Social Security number exists for applicant.PLACE
FIRST
CLASS
STAMP
HERE

MISSOURI VOTER REGISTRATION

MO

MISSOURI VOTER REGISTRATION APPLICATION									
USE PEN - PLEASE PRINT CLEARLY									
PC									
YOUR APPLICATION WILL BE CONFIRMED BY MAIL WITHIN 7 BUSINESS DAYS. CONTACT THE ELECTION AUTHORITY IF YOU DO NOT RECEIVE NOTIFICATION.									
1	<input type="checkbox"/> NEW REGISTRATION <input type="checkbox"/> ADDRESS CHANGE <input type="checkbox"/> NAME CHANGE						FOR OFFICE USE ONLY REGISTRATION NO.		
2	Mr. Mrs. Miss Ms.	LAST NAME		FIRST NAME		MIDDLE NAME		SUFFIX (CIRCLE) JR. SR. II III IV	
3	ADDRESS WHERE YOU LIVE (HOUSE NO., STREET, APT. NO. OR RURAL ROUTE AND BOX NO.)					CITY		COUNTY	ZIP CODE
4	ADDRESS WHERE YOU GET YOUR MAIL (IF DIFFERENT FROM #3 ABOVE)					CITY		STATE	ZIP CODE
5	DATE OF BIRTH MO. DAY YR.		PLACE OF BIRTH (OPTIONAL)		6	LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER*		7	DAYTIME PHONE NO. (OPTIONAL)
8	NAME AND ADDRESS ON LAST VOTER REGISTRATION NAME _____ ADDRESS _____ CITY _____ STATE _____ COUNTY _____					10 I hereby certify that I am a citizen of the United States and a resident of Missouri. I am at least seventeen and one half years of age. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or a misdemeanor connected with the right of suffrage, I have had the voting disabilities from such conviction removed pursuant to law. I swear under penalty of perjury that all statements made on this card are true to the best of my knowledge and belief. Date _____ Signature _____			
9	RURAL VOTERS: COMPLETE THIS SECTION IF YOU LIVE OUTSIDE THE CITY LIMITS OF ANY CITY. I live _____ miles N S E W (circle one) of _____ (landmark or junction). Section, Township and range _____ My neighbors are _____								
Warning: Conviction for making a false statement may result in imprisonment for up to five years and/or a fine up to \$10,000.									
MO 231-0169 (9-00) *Required for registration pursuant to §115.155 RSMo and will be used only by authorized officials to combat voter fraud and facilitate orderly elections.									

<hr/> <hr/> <hr/>		<div>PLACE FIRST CLASS STAMP HERE</div>
<p>MISSOURI VOTER REGISTRATION</p> <hr/> <hr/> <hr/> <p>MO _____</p>		

AUTHORITY: sections 115.155.5 and 115.159, RSMo [Supp. 1998] Supp. 1999. Emergency rule filed Nov. 10, 1993, effective Nov. 20, 1993, expired March 19, 1994. Emergency rule filed Feb. 23, 1994, effective March 20, 1994, expired May 8, 1994. Original rule filed Nov. 10, 1993, effective May 9, 1994. Amended: Filed Aug. 27, 1999, effective Feb. 29, 2000. Emergency amendment filed Sept. 26, 2000, effective Oct. 6, 2000, expires April 3, 2001. A proposed amendment covering this same material is published in this issue of the Missouri Register.

**Title 19—DEPARTMENT OF HEALTH
Division 10—Office of the Director
Chapter 4—Coordinated Health Care Services**

EMERGENCY AMENDMENT

19 CSR 10-4.020 J-1 Visa Waiver Program. The department proposes to amend paragraphs (2)(A)13. and (7)(C)1. and sections (3), (5), (6), and (7); to add subsections (3)(A), (3)(B), (5)(A), (6)(A), (6)(B), and (7)(C)3.; and to renumber the affected sections.

PURPOSE: *This emergency amendment is to add: (1) the requirement and the criteria for a facility to be predetermined as eligible to participate in the J-1 Visa Program; (2) the ability of the Department to determine that emergency rooms are primary care clinical settings and may participate in the J-1 Visa Program; (3) the ability and the criteria necessary for physicians trained in other specific high need specialties besides primary care to participate in the J-1 Visa Program; and (4) a biannual reporting requirement for facilities that participate in the J-1 Visa Program.*

EMERGENCY STATEMENT: *The emergency amendment is to add: (1) the requirement and the criteria for a facility to be predetermined as eligible to participate in the J-1 Visa Program; (2) the ability of the Department to determine that emergency rooms are primary care clinical settings and may participate in the J-1 Visa Program; (3) the ability and the criteria necessary for physicians trained in other specific high need specialties besides primary care to participate in the J-1 Visa Program; and (4) a biannual reporting requirement for facilities that participate in the J-1 Visa Program. The J-1 Visa program allows physicians to practice in medically underserved areas. Each of these new requirements directly affects the eligibility of physicians and facilities employing such physicians to participate in the J-1 Visa program. The federal fiscal year begins on October 1, 2000. The beginning of the federal fiscal year initiates the Department's ability to request waivers for selected physicians to participate in the J-1 Visa program. Absent this emergency amendment, the Department will be precluded from placing emergency room physicians and other selected high need specialties in underserved communities and facilities. As a result, the Department finds an immediate danger to the public health and welfare and a compelling government interest, which require emergency action. The scope of this rule is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department believes this emergency amendment is fair to all interested persons and parties under the circumstances. The emergency amendment was filed on September 19, 2000, effective September 29, 2000, expires March 27, 2001.*

(2) The department is committed to assisting all residents of Missouri to have access to quality, affordable health care. Therefore, under certain conditions, the department is prepared to consider recommending a waiver of the foreign residence requirement on behalf of physicians holding J-1 visas.

(A) A waiver request must come from a Missouri health care facility on behalf of a J-1 physician and not directly from a J-1 physician. All of the required information and documentation must be submitted in a single package with the documents presented in the order in paragraphs (2)(A)1.-14. Waiver requests that do not comply with these requirements will not be considered. The required documents include:

1. A letter from the head of the facility at which the physician will be employed that—

A. Requests that the department act as an interested government agency and recommend a waiver for the J-1 physician;

B. Summarizes how the health care facility has attempted to locate qualified United States physicians;

C. Describes the physician's qualifications, proposed responsibilities and how his/her employment will satisfy important unmet health care needs of a medically underserved rural community; and

D. States unequivocally that the facility is offering the physician at least three (3) years of employment in a job consistent with the department's mission;

2. A detailed description of the health care facility will be provided, including the nature and extent of the facility's medical services;

3. Valid contract of employment with the health care organization for not less than three (3) years;

4. List of HPSAs or documentation from state and local health care officials stating need for services of the physician;

5. Recruitment and retention efforts including copies of advertisements, agreements with placements services or other like documentation, and if these are not available, a detailed statement describing recruitment efforts. A statement should be submitted detailing the plans for retaining the physician during and beyond the three (3)-year obligation;

6. Effect on area of waiver denial;

7. Qualifications, including proof of Missouri medical licensure eligibility;

8. Physician's curriculum vitae and letters of recommendation;

9. Copies of all IAP-66s of physician, copies of I-94s of physician and family members, and proof of passage of examinations required by the United States Immigration and Naturalization Service;

10. Completed physician data sheet (attached as Appendix A);

11. Completed J-1 visa waiver policy affidavit and agreement (attached as Appendix B);

12. Valid offer of employment with health care organization for at least three (3) years;

13. *[A copy of the no objection letter from the home government] A copy of the notice from the department that the facility has been pre-determined eligible for participation in the program;* and

14. An original and one (1) unbound copy of the entire package should be included.

(3) Missouri health care facilities seeking to employ a foreign medical graduate holding a J-1 visa *[may request a packet of materials and instructions detailing the information and documentation that is required in order to submit an appropriate case file for review from the department's Center for Local Public Health Services] must be pre-determined by the department as eligible for participation in the J-1 Visa Waiver Program.*

(A) Eligible applicants will provide the department the following information and assurances:

1. Estimated enumeration of the patient population to be served.

2. Description of demographic characteristics of the population(s) to be served, including age groups, ethnicity, poverty status, health status and insurance coverage.

3. A copy of the sliding fee scale and the applicable policy utilized by the facility.

(B) Eligible applicants may request a packet of materials and instructions detailing the information and documentation that is required in order to submit an appropriate case file for review from the department.

(5) The department's J-1 Visa Waiver Program in Missouri */is limited/* will give priority to those physicians who are board-eligible or board-certified in one (1) of the following specialties: Family Practice, General Practice, General Pediatrics, Obstetrics/Gynecology, General Internal Medicine or Psychiatry and providing services in a primary care clinical setting. Physicians with other subspecialties or fellowship experience are not considered to be primary care physicians for the purpose of the J-1 Visa Waiver Program in Missouri *[and therefore are not eligible for participation]*. The credentials of the J-1 physician must be confirmed by the Missouri Board of Healing Arts. The physician must be eligible for licensure in Missouri.

(A) The department may determine emergency rooms to be primary care clinical settings where substantial amounts of primary care services are delivered in that setting. In order to qualify for participation, the sponsoring facility must provide the following:

1. The number and types of primary care encounters in the emergency room.

2. The demographic characteristics of the populations accessing primary care services in the emergency room.

3. The payor source for primary care services in the emergency room.

4. Documentation that primary care services for the identified population(s) are not available in the community.

(6) In addition to the eligible physicians set forth in subsection (5), waivers may be recommended for other specialties and subspecialties.

(A) Physicians trained in other specialties may be considered for placement in the J-1 Visa Program in Missouri based on the following criteria:

1. Vacant slots in the Program must be available; and

2. The employer must demonstrate that the specialist services are essential to the medical needs of the underserved; and

3. The specialty physician's application must have the concurrence in writing of the primary care physicians practicing in the community that the specialty is needed in the area; and

4. The specialty physician's application must comply with all other requirements of the J-1 Visa Program.

(B) Only four (4) slots will be allocated to specialty placement in any given Program year.

[[6]] (7) It is the responsibility of the physician and the employer to meet Missouri's licensing and credentialing requirements as delineated by the Missouri Board of Healing Arts.

[[7]] (8) A request for a J-1 visa waiver for a physician to enter private practice shall comply with the following:

(A) The practice must be located in a HPSA;

(B) The owner of the practice must be the employer for the J-1 physician and must submit a letter of support for the J-1 visa waiver request;

(C) The practice employer must—

1. Certify that it will provide *[primary]* health care services to all patients, including Medicare and Medicaid patients, without regard to ability to pay or the source of payment and must include

a sliding fee scale for adjusting patient bills for those who are unable to pay; and

2. Conspicuously post the sliding fee scale in the practice site, in the language(s) of patients receiving services; and

3. Provide the department two (2) reports each calendar year detailing the following:

A. The number of patients covered by sliding fee scale services.

B. The number of Medicaid patients served.

C. The number of Medicare patients served.

D. The total number of patients served.

E. The demographic characteristics of patients served, including data on age, gender, and ethnicity.

F. Evaluation of services provided and community need.

(D) All other J-1 visa waiver requirements remain in effect.

[[8]] (9) A physician must work at the facility for a minimum of three (3) years. If the physician fails to fulfill the terms of the contract with the facility, the facility must notify the department. This information will be forwarded to Immigration and Naturalization Services and other agencies as necessary.

[[9]] (10) A physician who is practicing under a J-1 visa in another state who wishes to practice in a HPSA in Missouri and obtain a J-1 visa waiver may do so only under the following conditions:

(A) The physician must complete the J-1 visa waiver application process in Missouri and obtain a Missouri medical license prior to commencing practice;

(B) The physician should make no plans for the transfer or to move personal possessions until the department has approved the request. The physician retains sole responsibility for notifying the employer of the intent to transfer, and payment of any financial penalty caused by a breach of contract, as determined by the employer; and

(C) All other J-1 visa waiver requirements remain in effect.

[[10]] (11) A physician with a J-1 visa waiver who is practicing in Missouri who wishes to transfer to another HPSA in Missouri may do so under the following conditions:

(A) At least sixty (60) days in advance of the proposed change, the physician must notify the department of the new practice site address, telephone number, site director and the effective date of the proposed change;

(B) The reason for the transfer must be explained in the written notice;

(C) A new J-1 visa waiver employer contract must be submitted to the department prior to approval of the transfer; and

(D) The physician should make no plans for the transfer or moving of personal possessions until the department has issued written approval of the transfer. The physician retains sole responsibility for notifying the employer of the intent to transfer and payment of any financial penalty caused by a breach of contract, as determined by the original employer.

[[11]] (12) The department is not responsible for exceptions to or interpretations of these policies which have occurred without the written approval of the director of the department or his/her designee. Applicants should be aware that hospitals or physician recruiters are not expert in the requirements of each state, and should contact the department with any questions.

[[12]] (13) The department is not responsible for any practice arrangements or contractual obligations entered into by the physician prior to approval of a J-1 visa waiver request.

[[13]] (14) In order to assist and facilitate the placement of primary care practitioners in designated HPSAs in Missouri, the department will provide, upon request, the following information:

- (A) List of designated HPSAs in Missouri;
- (B) List of hospitals located in HPSAs;
- (C) List of community health centers in HPSAs in Missouri; and
- (D) Procedure to request a J-1 visa waiver.

*AUTHORITY: section 191.411.1, RSMo 1994. This rule was previously filed as 19 CSR 50-4.020. Emergency rule filed April 17, 1995, effective April 27, 1995, expired Aug. 24, 1995. Original rule filed April 17, 1995, effective Oct. 30, 1995. Changed to 19 CSR 10-4.020 July 30, 1998. Emergency amendment filed Sept. 19, 2000, effective Sept. 29, 2000, expires March 27, 2001. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.*

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rule-making process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least 30 days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than 30 days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the 90-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than 30 days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 2—DEPARTMENT OF AGRICULTURE Division 30—Animal Health Chapter 10—Food Safety and Meat Inspection

PROPOSED RULE

2 CSR 30-10.010 Inspection of Meat and Poultry

PURPOSE: *This rule establishes the standards used to inspect meat/poultry slaughter and processing facilities in Missouri.*

PUBLISHER'S NOTE: *The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the the Office of the Secretary of State and the office*

of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

(1) The state meat inspection program is administered by the Division of Animal Health of the Missouri Department of Agriculture.

(2) The standards used to inspect Missouri meat and poultry slaughter and processing shall be those shown in Part 300 to end of Title 9, the *Code of Federal Regulations* (January 2000), herein incorporated by reference and made a part of this rule.

AUTHORITY: *section 265.020, RSMo Supp. 1999. Original rule filed Sept. 14, 2000.*

PUBLIC COST: *This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: *This proposed rule will not cost private entities more than \$500 in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Veterinarian, Department of Agriculture, Division of Animal Health, P.O. Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 150—State Board of Registration for the Healing Arts Chapter 3—Licensing of Physical Therapists and Physical Therapist Assistants

PROPOSED AMENDMENT

4 CSR 150-3.060 [Annual] Biennial Registration. The board is proposing to amend section (1).

PURPOSE: *This amendment will allow the board to implement a biennial renewal.*

(1) *[The annual] Effective February 1, 2002, the biennial registration fee shall be an appropriate fee established by the board. Each applicant shall register with the board upon a form [see 4 CSR 150-3.020] furnished by the board before January 31 [of each year] of the year the license is due for renewal.*

AUTHORITY: *sections 334.125, 334.570 and 334.675, RSMo Supp. [1997] 1999. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Amended: Filed March 13, 1985, effective May 25, 1985. Amended: Filed Sept. 10, 1998, effective March 30, 1999. Amended: Filed Sept. 15, 2000.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than \$500 in the aggregate as the board is merely implementing a biennial renewal.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts—Advisory Commission for*

Physical Therapists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 150—State Board of Registration for the
Healing Arts**

**Chapter 3—Licensing of Physical Therapists and
Physical Therapist Assistants**

PROPOSED AMENDMENT

4 CSR 150-3.080 Fees. The board is proposing to amend subsections (1)(D), (1)(E) and (1)(G).

PURPOSE: This amendment will allow the board to implement a biennial renewal and increases the continuing education extension fee.

(1) The following fees are established by the State Board of Registration for the Healing Arts, and are payable in the form of a cashier's check or money order:

- (D) Renewal of Certificate of Registration Fee
(personal checks acceptable) *[\$ 10.00/ \$20.00]*
- (E) Delinquency Fee (failure to timely file
application for renewal of certificate of
registration) *[\$ 10.00/ \$20.00]*
- (G) Continuing Education Extension Fee
(personal checks acceptable) *[\$ 15.00/ \$50.00/.]*

AUTHORITY: sections 334.090.1, [and] 334.090.2 and 334.580, RSMo 1994, and 334.125, 334.507, 334.540, 334.550 and 334.560, RSMo Supp. [1998] 1999. Original rule filed Aug. 10, 1983, effective Nov. 11, 1983. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment is estimated to cost private entities \$2,975 biennially for the life of the rule. It is anticipated that the total biennial cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts—Advisory Commission for Physical Therapists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4 - Department of Economic Development

Division: 150 - State Board of Registration for the Healing Arts

Chapter: 3 -- Licensing of Physical Therapists and Physical Therapist Assistants

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 4 CSR 150-3.080 Fees

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate Biennial Cost of Compliance for the Life of the Rule:
85	Physical Therapist Assistants	\$2,975

**Total Biennial Cost for the
life of the rule: \$2,975**

III. WORKSHEET

Continuing Education Extension Increase @ \$35.00

IV. ASSUMPTIONS

1. The board estimates that approximately of the 4269 currently licensed physical therapist assistants approximately 2% (85 licensees) will apply for a continuing education extension each renewal period.
2. The private entity cost for this proposed rule is estimated to be \$4,250 biennially for the life of the rule. It is anticipated that the total biennial cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 150—State Board of Registration for the
Healing Arts
Chapter 3—Licensing of Physical Therapists and
Physical Therapist Assistants**

PROPOSED AMENDMENT

4 CSR 150-3.170 Physical Therapist Assistant Licensure Fees.
The board is proposing to amend subsections (1)(D) and (1)(E) and adding subsection (1)(F).

PURPOSE: This amendment will allow the board to implement a biennial renewal.

(1) The following fees are established by the State Board of Registration for the Healing Arts:

- (D) Renewal of Certificate of Registration
Fee (~~/P/~~personal/corporate checks acceptable) [~~\$ 10.00~~] **\$20.00**
- (E) Delinquency Fee (failure to timely file application for renewal of certificate of registration) [~~\$ 10.00~~] **\$20.00**[.]
- (F) Continuing Education Extension Fee
(personal/corporate checks acceptable) **\$50.00**

AUTHORITY: sections 334.125, 334.655, 334.660 and 334.670, RSMo Supp. 1999. Original rule filed Sept. 4, 1997, effective March 30, 1998. Amended: Filed April 14, 2000. Amended: Filed Sept. 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment is estimated to cost private entities \$700 biennially for the life of the rule. It is anticipated that the total biennial cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts—Advisory Commission for Physical Therapists, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102, (573) 751-0098. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4 - Department of Economic Development

Division: 150 - State Board of Registration for the Healing Arts

Chapter: 3 - Licensing of Physical Therapists and Physical Therapist Assistants

Type of Rulemaking: Proposed Amendment

Rule Number and Name: 4 CSR 150-3.170 Physical Therapist Assistant Licensure Fees

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate Biennial Cost of Compliance for the Life of the Rule:
14	Physical Therapist Assistants	\$700

**Total Biennial Cost for the
life of the rule: \$700**

III. WORKSHEET

Continuing Education Extension Increase @ \$50.00

IV. ASSUMPTIONS

1. The board estimates that approximately of the 1385 currently licensed physical therapist assistants approximately 1% (14 licensees) will apply for a continuing education extension each renewal period.
2. The private entity cost for this proposed rule is estimated to be \$700 biennially for the life of the rule. It is anticipated that the total biennial cost will recur each year for the life of the rule, however, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 120—New Manufactured Homes**

PROPOSED AMENDMENT

4 CSR 240-120.130 Monthly Report Requirement for Registered Manufactured Home Dealers. The commission is amending sections (2)–(4), and deleting the form that follows this rule in the *Code of State Regulations*.

PURPOSE: Registered manufactured home dealers must file monthly sales reports with the Missouri Public Service Commission and this amended rule clarifies the manner in which the reports must be filed.

[(2)] (4) Failure to [properly complete this] submit a completed monthly report [and submit it] by the due date could result in suspension or revocation of the dealer's registration under section [700.205] 700.090, RSMo.

(3) [The commission will reject all reports not completely and properly filled out.] The director may reject all monthly sales reports that are incomplete.

[(4)] (2) The report may be filed only upon the commission's form for monthly sales reports. These forms may be obtained from the Missouri Public Service Commission, P.O. Box 360, Jefferson City, MO 65102. [A copy of the required form is appended to this rule.]

AUTHORITY: section 700.460, RSMo [1986] 1994. Emergency rule filed Nov. 8, 1985, effective Nov. 18, 1985, expired March 18, 1986. Original rule filed Nov. 8, 1985, effective Feb. 24, 1986. Amended: Filed Sept. 5, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public Service Commission, Dale Hardy Roberts, Secretary, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the address stated within thirty days after publication of this notice in the Missouri Register. Comments should refer to Case No. MX-2000-441 and be filed with an original and eight copies. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 120—New Manufactured Homes**

PROPOSED RULE

4 CSR 240-120.135 New Manufactured Home Inspection Fee

PURPOSE: This rule provides for the manner in which inspection fees assessed on new manufactured home sales are calculated by the commission and submitted by registered dealers.

(1) The commission may, prior to the beginning of each fiscal year starting with the fiscal year commencing on July 1, 2000, issue an

order establishing an inspection fee to be assessed on all new manufactured homes sold in the state of Missouri. Said inspection fee will be calculated as follows:

(A) The commission will determine the funding needs of the manufactured housing and modular units program;

(B) The director will determine through dealer monthly sales reports the aggregate number of new manufactured homes, pre-owned manufactured homes, and modular units sold in the 12-month period commencing May 1 and ending April 30 immediately preceding each fiscal year;

(C) The director will estimate the funds that the program will receive through dealer and manufacturer registrations, plan approvals, and any other fees that the program receives on a yearly basis, based on prior year's receipts; and

(D) The director will subtract the amount determined in subsection (C) above from the program's legislative appropriation. That amount will then be divided by the aggregate number of new manufactured homes, pre-owned manufactured homes, and modular units sold as determined in subsection (B) above. The resulting amount will be rounded up to the next nearest whole dollar amount. This amount will be presented to the commission for approval.

(2) New manufactured home dealers shall remit fees to the director in an amount that equals the number of new manufactured homes sold, multiplied by the inspection fee as approved by the commission. Dealers shall submit said fee with the monthly sales report that is required by 4 CSR 240-120.130 and 4 CSR 240-123. Said fee shall be received no later than the tenth day following the month when the sales were made.

(3) The following situations shall constitute grounds for the denial, suspension, revocation, or placing on probation of a dealer's certificate of registration:

(A) Failure to pay fees within 30 days of their prescribed due date;

(B) Failure to pay fees by the prescribed due date for two consecutive months; or

(C) Failure to pay fees by the prescribed due date for any four of the preceding 12 months.

(4) If a dealer remits the inspection fee for a new manufactured home and the sale is rescinded within 60 days of the date of the sale, the dealer has 60 days from the date of said rescission to request that the inspection fee be credited to the next month in which a dealer has a sale subject to the inspection fee.

(5) The director shall deliver copies of the commission's order establishing the new manufactured home inspection fee for the fiscal year to all existing registered dealers no later than July 15 of each fiscal year. The director shall also deliver a copy of the commission's order establishing the fee with each approved certificate of dealer registration.

AUTHORITY: sections 700.040 and 700.115, RSMo Supp. 1999. Original rule filed Sept. 5, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule is estimated to cost private entities approximately \$146,520 annually for the life of the rule.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the address stated within thirty days after publication

*of this notice in the **Missouri Register**. Comments should refer to Case No. MX-2000-438 and be filed with an original and eight copies. A public hearing on this proposed rule will be held at 10:00 a.m. on November 17, 2000, for interested persons to provide comments and respond to commissioners' questions. The hearing will be held at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri.*

SPECIAL NEEDS: The Governor Office Building meets the accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in this local public hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

**FISCAL NOTE
PRIVATE ENTITY COST****I. RULE NUMBER**

Title: 4

Division: 240 Public Service Commission

Chapter: 120 New Manufactured Homes

Type of Rulemaking: Proposed Rule

Rule Number and Name: 135 - Inspection Fee

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
There are 346 active manufactured home dealers. Specific data separating new home dealers from used home dealers is unavailable. The number of new homes reported sold is used in calculating this fiscal impact.	New Manufactured Home Dealers	\$146,520 in the first year and a similar amount in succeeding years

III. WORKSHEET

1. New manufactured home dealers will be required to submit inspection fees per home sold as reported on monthly sales reports.
2. Ensuring compliance with this rule will not require additional staff.
3. The estimated cost of compliance is based on the total number of new manufactured homes sold in the State of Missouri, multiplied by the annualized inspection fee that is generated by annual calculations prescribed in this proposed rule.

IV. ASSUMPTIONS

1. Fiscal Year 1999 data was used to estimate costs in this summary. No adjustment for inflation has been applied.
2. Actual cost of compliance in succeeding years will vary depending on annual calculation of inspection fee.
3. Affected entities are assumed to be in compliance with all other MoPSC rules and regulations.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 121—Pre-Owned [Mobile] Manufactured
Homes**

PROPOSED AMENDMENT

4 CSR 240-121.180 Monthly Report Requirement for Registered Manufactured Home Dealers. The commission is amending sections (2)–(4).

PURPOSE: Registered manufactured home dealers must file monthly sales reports with the Missouri Public Service Commission and this amended rule clarifies the manner in which the reports must be filed.

[(2)] (4) Failure to [properly complete this] submit a completed monthly report [and submit it] by the due date could result in suspension or revocation of the dealer's registration under section [700.205] 700.090, RSMo.

(3) [The commission will reject all reports not completely and properly filled out.] The director may reject all monthly sales reports that are incomplete.

[[4]] (2) The report may be filed only upon the commission's form for monthly sales reports. These forms may be obtained from the Missouri Public Service Commission, P.O. Box 360, Jefferson City, MO 65102. [A copy of the required form is appended to this rule and is incorporated into this rule by reference.]

AUTHORITY: section 700.460, RSMo [1986] 1994. Emergency rule filed Nov. 8, 1985, effective Nov. 18, 1985, expired March 18, 1986. Original rule filed Nov. 8, 1985, effective Feb. 24, 1986. Amended: Filed Sept. 5, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Public Service Commission, Dale Hardy Roberts, Secretary, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. Comments should refer to Case No. MX-2000-440, and be filed with an original and eight copies. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 121—Pre-Owned [Mobile] Manufactured
Homes**

PROPOSED RULE

4 CSR 240-121.185 Pre-Owned Manufactured Home Inspection Fee

PURPOSE: This rule provides for the manner in which inspection fees assessed on pre-owned manufactured home sales are calculated by the commission and submitted by registered dealers.

(1) The commission may prior to the beginning of each fiscal year starting with the fiscal year commencing on July 1, 2000, issue an order establishing an inspection fee to be assessed on all pre-owned manufactured homes sold in the state of Missouri. Said inspection fee will be calculated as follows:

(A) The commission will determine the funding needs of the manufactured housing and modular units program;

(B) The director will determine through dealer monthly sales reports the aggregate number of new manufactured homes, pre-owned manufactured homes, and modular units sold in the 12-month period commencing May 1 and ending April 30 immediately preceding each fiscal year;

(C) The director will estimate the funds that the program will receive through dealer and manufacturer registrations, plan approvals, and any other fees that the program receives on a yearly basis, based on prior year's receipts; and

(D) The director will subtract the amount determined in subsection (C) above from the program's legislative appropriation. That amount will then be divided by the aggregate number of new manufactured homes, pre-owned manufactured homes, and modular units sold as determined in subsection (B) above. The resulting amount will be rounded to the next nearest whole dollar amount. This amount will be presented to the commission for approval.

(2) Pre-owned manufactured home dealers shall remit fees to the director in an amount that equals the number of pre-owned manufactured homes sold, multiplied by the inspection fee as approved by the commission. Dealers shall submit said fees with the monthly sales report that is required by 4 CSR 240-121.180. Said fees shall be received no later than the tenth day following the month when the sales were made.

(3) The following situations shall constitute grounds for the denial, suspension, revocation, or placing on probation of a dealer's certificate of registration:

(A) Failure to pay fees within 30 days of their prescribed due date.

(B) Failure to pay fees by the prescribed due date for two consecutive months.

(C) Failure to pay fees by the prescribed due date for any four of the preceding 12 months.

(D) If a dealer remits the inspection fee for a pre-owned manufactured home and the sale is rescinded within 60 days of the date of the sale, the dealer has 60 days from the date of said rescission to request that the inspection fee be credited to the next month in which a dealer has a sale subject to the inspection fee.

(4) The director shall deliver copies of the commission's order establishing the pre-owned manufactured home inspection fee for the fiscal year to all existing registered dealers no later than July 15 of each fiscal year. The director shall also deliver a copy of the commission's order establishing the fee with each approved certificate of dealer registration.

AUTHORITY: sections 700.040 and 700.115, RSMo Supp. 1999. Original rule filed Sept. 5, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule is estimated to cost private entities approximately \$63,855 annually for the life of the rule.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the

Missouri Register. Comments should refer to Case No. MX-2000-437, and be filed with an original and eight copies. A public hearing will be at 10:00 a.m. on November 17, 2000, for interested persons to comment and respond to commissioners' questions. The public hearing will be held at the Governor Office Building, Room Number 310, at 200 Madison Street, Jefferson City, Missouri.

SPECIAL NEEDS: The Governor Office Building meets the accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in this local public hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4

Division: 240 Public Service Commission

Chapter: 121 Pre-owned Manufactured Homes

Type of Rulemaking: Proposed Rule

Rule Number and Name: 185 - Inspection Fee

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
There are 346 active manufactured home dealers. Specific data separating new home dealers from used home dealers is unavailable. The number of pre-owned homes reported sold is used in calculating this fiscal impact.	Pre-owned manufactured home dealers	\$63,855 in the first year and a similar amount in succeeding years

III. WORKSHEET

1. Pre-owned manufactured home dealers will be required to submit inspection fees per home sold as reported on monthly sales reports.
2. Ensuring compliance with this rule will not require additional staff.
3. The estimated cost of compliance is based on the total number of pre-owned manufactured homes sold in the State of Missouri, multiplied by the annualized inspection fee that is generated by annual calculations prescribed in this proposed rule.

IV. ASSUMPTIONS

1. Fiscal Year 1999 data was used to estimate costs in this summary. No adjustment for inflation has been applied.
2. Actual cost of compliance in succeeding years will vary depending on annual calculation of inspection fee.
3. Affected entities are assumed to be in compliance with all other MoPSC rules and regulations.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 123—Modular Units**

PROPOSED RULE

4 CSR 240-123.075 Modular Unit Inspection Fee

PURPOSE: This rule provides for the manner in which inspection fees assessed on modular unit sales are calculated by the commission and submitted by registered dealers.

(1) The commission may, prior to the beginning of each fiscal year starting with the fiscal year commencing on July 1, 2000, issue an order establishing an inspection fee to be assessed on all modular units sold in the state of Missouri. Said inspection fee will be calculated as follows:

(A) The commission will determine the funding needs of the manufactured housing and modular units program;

(B) The director will determine through dealer monthly sales reports the aggregate number of new manufactured homes, pre-owned manufactured homes, and modular units sold in the 12-month period commencing May 1 and ending April 30 immediately preceding each fiscal year;

(C) The director will estimate the funds that the program will receive through dealer and manufacturer registrations, plan approvals, and any other fees that the program receives on a yearly basis, based on prior year's receipts; and

(D) The director will subtract the amount determined in subsection (C) above from the program's legislative appropriation. That amount will then be divided by the aggregate number of new manufactured homes, pre-owned manufactured homes, and modular units sold as determined in subsection (B) above. The resulting amount will be rounded up to the next nearest whole dollar amount. This amount will be presented to the commission for approval.

(2) Modular unit dealers shall remit fees to the director in an amount that equals the number of modular units sold, multiplied by the inspection fee as approved by the commission. Dealers shall submit said fees with the monthly sales report that is required by 4 CSR 240-120.130 and 4 CSR 240-123.070. Said fees shall be received no later than the tenth day following the month when the sales were made.

(3) The following situations shall constitute grounds for the denial, suspension, revocation, or placing on probation of a dealer's certificate of registration:

(A) Failure to pay fees within 30 days of their prescribed due date;

(B) Failure to pay fees by the prescribed due date for two consecutive months; or

(C) Failure to pay fees by the prescribed due date for any four of the preceding 12 months.

(4) If a dealer remits the inspection fee for a modular unit and the sale is rescinded within 60 days of the date of the sale, the dealer has 60 days from the date of said rescission to request that the inspection fee be credited to the next month in which a dealer has a sale subject to the inspection fee.

(5) The director shall deliver copies of the commission's order establishing the modular unit inspection fee for the fiscal year to all existing registered dealers no later than July 15 of each fiscal year. The director shall also deliver a copy of the commission's order establishing the fee with each approved certificate of dealer registration.

AUTHORITY: sections 700.040 and 700.115, RSMo Supp. 1999. Original rule filed Sept. 5, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule is estimated to cost private entities approximately \$13,200 annually for the life of the rule.

*NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary, P.O. Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the address stated within thirty days after publication of this notice in the **Missouri Register**. Comments should refer to Case No. MX-2000-439 and be filed with an original and eight copies. A public hearing on this proposed rule will be held at 10:00 a.m. on November 17, 2000, for interested persons to provide comments and respond to commissioners' questions. The hearing will be held at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri.*

SPECIAL NEEDS: The Governor Office Building meets the accessibility standards required by the Americans with Disabilities Act. If any person needs additional accommodations to participate in this local public hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: 4

Division: 240 Public Service Commission

Chapter: 123 Modular Units

Type of Rulemaking: Proposed Rule

Rule Number and Name: 075 – Inspection Fee

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
There are approximately 132 active modular unit dealers.	Modular unit dealers	\$13,200 in the first year and a similar amount in succeeding years

III. WORKSHEET

1. Modular unit dealers will be required to submit inspection fees per home sold as reported on monthly sales reports.
2. Ensuring compliance with this rule will not require additional staff.
3. The estimated cost of compliance is based on the total number of modular units sold in the State of Missouri, multiplied by the annualized inspection fee that is generated by annual calculations prescribed in this proposed rule.

IV. ASSUMPTIONS

1. Fiscal Year 1999 data was used to estimate costs in this summary. No adjustment for inflation has been applied.
2. Actual cost of compliance in succeeding years will vary depending on annual calculation of inspection fee.
3. Affected entities are assumed to be in compliance with all other MoPSC rules and regulations.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 1—General Organization**

PROPOSED RULE

11 CSR 10-1.020 Missouri National Guard Trust Fund

PURPOSE: This rule outlines the duties and responsibilities of the Adjutant General in administering the Missouri National Guard Trust Fund established by section 41.214, RSMo.

(1) The Missouri National Guard Trust Fund is a state fund established to receive monies generated by section 41.215, RSMo, state tax refund designation; section 313.835, RSMo, Gaming Commission Fund; grants; gifts; bequests; the federal government; or other sources granted or given for this specific purpose. This fund shall be administered by the Adjutant General for purposes authorized under section 41.214, RSMo, and appropriated by the state.

(2) The Adjutant General shall establish operational policies and procedures necessary to manage and expend, subject to appropriation, Missouri National Guard Trust Fund monies received from gifts, bequests, contributions (other than contributions made pursuant to section 41.215, RSMo), grants, and federal funds for purposes authorized by sections 41.010–41.1000 and section 173.239, RSMo.

(3) The Adjutant General shall establish accounting policies and procedures to ensure that state income tax refund monies received into the National Guard Trust Fund pursuant to section 41.215, RSMo, are managed and expended, subject to appropriation, to support the Military Honor Detail Program pursuant to section 41.958, RSMo.

(4) The Adjutant General shall establish internal accounting procedures which safeguard Missouri National Guard Trust Fund monies received as the collection agency for the fund.

AUTHORITY: section 41.214, RSMo 2000. Original rule filed Sept. 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Adjutant General, ATTN: NGMO-SX, 2302 Militia Drive, Jefferson City, MO 65101-1203. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 5—Missouri World War II Veterans'
Recognition Program**

PROPOSED RULE

11 CSR 10-5.010 Missouri World War II Veterans' Recognition Program

PURPOSE: This rule prescribes guidelines as required by section 42.175, RSMo, to administer the World War II Veterans'

Recognition and the Missouri World War II "D-Day" Invasion of Europe Medal Program. These guidelines provide a framework for World War II veterans to apply for medal, medallion, and certificates in recognition of their service to Missouri and our nation during World War II.

(1) Definitions as used in this rule, unless the context clearly indicates otherwise, the following terms shall mean:

(A) Adjutant General—As defined in Chapter 41, *Revised Statutes of Missouri*, section 41.110 and all amendments thereto;

(B) Appropriate service records—Military records documenting the honorable service of a veteran in the armed forces of the United States eligibility for awards authorized under the Missouri World War II Recognition Program. A Department of Defense DD-214 or other document acceptable to the Adjutant General;

(C) Active service—As defined in Title 10, section 101 of the *United States Code* and all amendments thereto;

(D) Consanguinity—Of the closest blood relation;

(E) Certificate—A document containing a certified statement as to the truth that one has fulfilled the requirement for award or recognition;

(F) Director World War II Veterans' and "D-Day" Invasion of Europe Recognition Program—Person designated by the Adjutant General to administer the World War II Veterans' Recognition Program;

(G) Discharge—A certification of release from military service or duty;

(H) Eligible World War II veteran—Any person defined as a veteran by the United States Department of Veterans Affairs, who honorably served on active duty in the United States military service at any time beginning December 7, 1941 and ending September 30, 1945 provided 1) that such veteran was a legal resident of the state of Missouri on August 28, 2000 and 2) such veteran was honorably separated or discharged from military service or is still in active service in honorable status;

(I) Honorably separated—The release from military service or duty under honorable conditions;

(J) Honorable status—Attesting to creditable conduct while serving on active duty in the military;

(K) Intestate survivor—The survivor of a World War II veteran who has died without a will;

(L) Legal resident—A person (veteran) whose official United States mailing address is within the boundaries of the state of Missouri;

(M) Medal—A small object usually metal in nature bearing an emblem or picture that is issued to commemorate a person's participation in an event or is awarded for excellence or achievement;

(N) Medallion—An object or coin, usually round or oval in shape, resembling a medal;

(O) Veteran—Any person defined as a veteran by the United States Department of Veterans' Affairs or its successor agency;

(P) Veterans Commission—The commission created by section 42.007, RSMo;

(Q) World War II—The World War beginning December 7, 1941, and ending September 30, 1945;

(R) World War II Veterans' Recognition Award Fund—As defined in section 42.185, RSMo, consisting of gifts, bequests, and donations to be administered by the Adjutant General;

(S) "D-Day" Invasion of Europe veteran—Members of the Army, Navy, Coast Guard, Army Air Corps, Marines, or Merchant Marines who participated in the Battle of Normandy between June 6, 1944, and August 31, 1944;

(T) Jubilee of Liberty Medal—A medal created by the Regional Council of Normandy, France, in 1994 to commemorate the 50th anniversary of the June 6, 1944, "D-Day" invasion of Europe;

(U) Replica—A close reproduction or facsimile of the original.

(2) The Adjutant General is responsible for the administration of the Missouri World War II Veterans' Recognition and the World War II "D-Day" Invasion of Europe Medal Program and, subject to an appropriation for this purpose, will distribute a medal, medallion, and certificate to each qualified Missouri World War II veteran.

(3) Design.

(A) The Veterans Commission is responsible for the design of the form of the medallion, medal, and certificates and will provide the approved designs to the Adjutant General for distribution.

(B) The "D-Day" June 6, 1944, Invasion of Europe recognition medal is the "Jubilee of Liberty" created by the Regional Council of Normandy, France, in 1944.

(4) To be eligible for the World War II Veterans' Recognition Awards, the veteran must:

(A) Have served on active duty in the United States military service at any time beginning December 7, 1941, and ending September 20, 1945;

(B) Be a legal resident of Missouri on August 28, 2000; and

(C) Be honorably separated or discharged from military service or be currently in active service in an honorable status.

(5) To be eligible for the "Jubilee of Liberty" June 6, 1944, "D-Day" Invasion of Europe medal replica, veterans must have served honorably on active duty and participated in the Battle of Normandy between June 6, 1944, and September 30, 1944.

(6) World War II and "D-Day" Invasion of Europe veterans, to obtain authorized medals, medallions, and certificates, must complete an application form and provide copies of appropriate World War II service record verification forms to the Office of the Adjutant General, Attention: Director, WWII Veteran Recognition Program, 2303 Militia Drive, Jefferson City, MO 65101-1203. Applications must be submitted anytime after January 1, 2001, and before January 1, 2002. Applications and service forms will not be returned and will become property of the state of Missouri.

(7) Application forms may be obtained by contacting the Office of the Adjutant General or contacting local Missouri Veterans Commission offices. Forms will also be provided to Missouri veterans' organizations upon request to the Director, Veterans' World War II Recognition Program.

(8) If any person dies after applying for a medallion or medal and a certificate pursuant to sections 42.170 to 42.190, RSMo, and such person would have been entitled to the medallion, medal, and the certificate, the Adjutant General shall give the medallion, medal, and the certificate to the person to whom the largest portion of the veteran's estate was given in such veteran's will. If the estate was split evenly among two or more persons, the surviving spouse, the eldest living child or the closest relative by degree of consanguinity, in that order, shall receive the medallion, medal, and the certificate. If there is no will, the veteran's intestate survivor shall receive the medallion, medal, and the certificate.

(9) The distribution of specific state awards under this rule is subject to the availability of and receipt of funding and the approval of a state appropriation for that purpose. Upon receipt of funding and an approved appropriation, awards will be distributed as expeditiously as possible.

(10) Eligibility Determination.

(A) If the Adjutant General disallows any veteran's claim to a medallion, medal, and a certificate pursuant to sections 42.170 to 42.190, RSMo, for World War II and/or the "D-Day" Invasion of Europe recognition programs, a statement of the reason for the disallowance shall be filed with the application and a notice of ineligibility

will be mailed to the applicant at the applicant's last known address.

(B) The notice of ineligibility will include information on the appeal process for applicants whose requests for World War II Recognition Programs awards are denied. Denied applicants will have 30 days from receipt of notices of ineligibility to submit written appeals.

AUTHORITY: section 42.175, RSMo 2000. Original rule filed Sept. 14, 2000.

PUBLIC COST: This proposed rule will implement a new program statute passed by the General Assembly in 2000, relating to the Missouri World War II Veterans' Recognition and "D-Day" Invasion of Europe Program. For FY 01, the General Assembly will be asked to appropriate \$2,619,863 to the Office of the Adjutant General for Missouri World War II Veterans' Recognition Program and the "D-Day" Invasion of Europe "Jubilee of Liberty" medal program. The Office of the Adjutant General estimates total costs in FY 01 and FY 02 for these programs to be \$10,250,764.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Office of the Adjutant General, Attn: NGMO-SX, 2302 Militia Drive, Jefferson City, MO 65101-1203. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC ENTITY COST****I. RULE NUMBER**Title: 11 - Department of Public SafetyDivision: 10 - Office of the Adjutant GeneralChapter: 5 - Missouri World War II Veterans' Recognition ProgramType of Rulemaking: Proposed RuleRule Number and Name: 11 CSR 10-5.010**II. SUMMARY OF FISCAL IMPACT**

Affected Agency	Estimated Cost of Compliance in the Aggregate
Office of the Adjutant General	\$10,220,764
Missouri Veterans Commission	30,000

III. WORKSHEET

Senate Bill 961 dealing with veteran's programs contained 5 separate sections. Costs identified in this fiscal note reflect costs to be incurred by the Office of the Adjutant General to implement sections 42.170 and 42.190 relating to the WWII Veterans' Recognition Program and section 1, the "Jubilee of Liberty" Normandy Invasion of Europe Veterans' Recognition Program. The Office of the Adjutant General does not anticipate incurring any additional costs associated with other sections of this bill.

Costs reflected are total estimated costs for the WWII and Normandy Invasion of Europe Veterans' Recognition Programs. Once all applications for the Veterans' Recognition Programs have been received and awards distributed, this program will be discontinued and any funds remaining in the WWII Veterans' Recognition Fund will be transferred to the Veterans Commission Capitol Improvement Trust Fund.

Total cost of the program is estimated to be \$10,250,764 general revenue. This estimate to administer the program includes contract employees, operating expense and equipment items, and the cost to procure the WWII medals, medallions, and certificates and the replicas of the "Jubilee of Liberty" medals for eligible veterans.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 5—World War II Veterans' Recognition
Program**

PROPOSED RULE

11 CSR 10-5.015 World War II Veterans' Recognition Award Fund

PURPOSE: This rule outlines the duties and responsibilities of the Adjutant General in administering the World War II Veterans' Recognition Award Fund established by section 42.185, RSMo.

(1) The World War II Veterans' Recognition Award Fund is a state fund established to receive monies generated from all gifts, donations, and bequests to the fund. This fund shall be administered by the Adjutant General for purposes authorized under section 42.185, RSMo and appropriated by the state.

(2) The Adjutant General shall establish procedures and agreements with other state agencies as necessary to manage the World War II Veterans' Recognition Award Fund. The Adjutant General shall develop operational policies and procedures to administer the World War II Veterans' Recognition Program using trust fund monies. Monies in the fund are to be used solely to promote solicitation for designs, aid in the manufacture, and aid in the distribution of medallions, medals, and certificates.

(3) The Adjutant General shall establish accounting procedures which safeguard World War II Veterans' Recognition Award Fund monies received.

(4) The fund will be automatically terminated when all authorized medallions, medals, and certificates have been distributed. Any balance in the fund will be transferred to the Veterans' Commission Capital Improvement Trust Fund created in section 313.835, RSMo.

AUTHORITY: section 42.185, RSMo 2000. Original rule filed Sept. 14, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Office of the Adjutant General, Attn: NGMO-SX, 2302 Militia Drive, Jefferson City, MO 65101-1203. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

PROPOSED AMENDMENT

11 CSR 50-2.200 Steering Mechanisms. The division proposes to amend subsection (4)(B).

PURPOSE: This proposed amendment deletes reference to the computer analyzer certificate which is now obsolete due to changes in the administration of the emission program.

(4) Ball Joints.

(B) In checking the condition of an unloaded ball joint, a ball joint gauge need not be used if the inspector is absolutely certain that the ball joint movement does not exceed the prescribed tolerances. A vehicle will not be rejected unless the vertical (up and down) or horizontal (side-to-side) movement in the load carrying ball joint has been accurately measured by a ball joint gauge and the measurement exceeds the prescribed tolerances. A vehicle requiring a special tool or method to measure ball joint movement will not be rejected unless the ball joint is obviously dangerous. Inspector/mechanics will contact the Motor Vehicle Inspection Division at the nearest troop headquarters to obtain information on ball joints not listed in this manual. If the ball joint movement exceeds the prescribed tolerances, the measured movement shall be listed with the defective part on the MVI-2 form (see 11 CSR 50-2.120) [and computer analyzer certificate].

AUTHORITY: section 307.360, RSMo 1994. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, P.O. Box 568, Jefferson City, MO 65102-0568. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

PROPOSED AMENDMENT

11 CSR 50-2.270 Glazing (Glass). The division proposes to amend paragraph (5)(C)1.

PURPOSE: This proposed amendment deletes reference to the computer analyzer certificate which is now obsolete due to changes in the administration of the emission program.

(5) Reject vehicle if:

(C) Any manufactured vision reducing material is applied to any portion of the motor vehicle's windshield, side wings or windows located immediately to the left and right of the driver which reduces visibility from within or without the motor vehicle, except any label, sticker, decalcomania, or informational sign required by law, ordinance or regulation may be affixed as directed. (Do not reject vehicle for tinting material applied to the uppermost portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass);

1. Do not reject a motor vehicle for which the current vehicle owner submits a window tinting permit SHP-524B, issued by the Missouri State Highway Patrol. Record the number of the window tinting permit on the MVI-2 form (see 11 CSR 50-2.120) in the space entitled "Defective Parts" [or on the Missouri Analyzer System Certificates above the inspector/mechanic's signature] by entering the following statement: Tinting Permit # _____;

AUTHORITY: section 307.360, RSMo 1994. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, P.O. Box 568, Jefferson City, MO 65102-0568. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

PROPOSED AMENDMENT

11 CSR 50-2.320 School Bus Inspection. The division proposes to amend subsection (9)(A).

PURPOSE: This proposed amendment attempts to clarify that all emergency doors and exits are required to be inspected and not just those located on the left and right side of the bus.

(9) Emergency Door(s), Exits and Buzzer.

(A) All school buses shall be equipped with an emergency door or exit located in the rear and may be equipped with additional emergency doors and exits *[on the left or right side of the school bus]*. The emergency door shall be designed to be opened from inside and outside. The device used to open the door from the outside shall be designed to prevent hitching to, but one which permits opening when necessary. The rear emergency door latch shall be equipped with an interior handle that lifts upward to release and all emergency doors and exits shall be equipped with a suitable electric switch connected with a buzzer audible in the driver compartment. The switch shall be installed in a manner that any movement of the slide bar or release mechanism will immediately sound the buzzer. All emergency doors and exits shall be identified by the words EMERGENCY DOOR or EMERGENCY EXIT both inside and outside the bus in letters two inches (2") high in the immediate area of the door or exit. A metal guard shall be placed over the door control on the inside of a rear door. The passageway to the emergency door shall be at least twelve inches (12") wide on all school buses. Type A school buses designed as 1974 or later models must be equipped with an emergency door buzzer. A lock may be placed on an emergency door or exit. However, the engine starting and operating system must not function if any emergency door or exit is locked from either the inside or outside of the bus.

AUTHORITY: section 307.360.2, RSMo 1994 and 307.375, RSMo Supp. 1999. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, P.O. Box 568, Jefferson City, MO 65102-0568. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 50—Missouri State Highway Patrol
Chapter 2—Motor Vehicle Inspection Division**

PROPOSED AMENDMENT

11 CSR 50-2.330 Motorcycle Inspection. The division proposes to amend subsection (1)(H).

PURPOSE: This proposed amendment expands the inspection of fuel tanks on motorcycles to include the entire fuel system.

(1) This section of the inspection manual contains procedures which shall be followed when inspecting motorcycles and motor tricycles.

(H) Fuel *[Tank]* System.

1. Inspect the fuel tank(s), fuel lines and connections and filler cap.

2. Reject vehicle if:

- A. There is fuel leakage at *[the fuel tank]* any location;
- B. Fuel tank is not securely attached; or
- C. Filler cap is missing or does not fit.

AUTHORITY: section 307.360, RSMo 1994. Original rule filed Nov. 4, 1968, effective Nov. 14, 1968. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Missouri State Highway Patrol, P.O. Box 568, Jefferson City, MO 65102-0568. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 10—Nursing Home Program**

PROPOSED AMENDMENT

13 CSR 70-10.030 Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/MR Services. The division is amending subsection (4)(A).

PURPOSE: This amendment outlines how the State Fiscal Year 2001 trend factor will be applied to adjust per-diem rates for ICF/MRs participating in the Medicaid program.

(4) Prospective Reimbursement Rate Computation.

(A) Except in accordance with other provisions of this rule, the provisions of this section shall apply to all providers of ICF/MR services certified to participate in Missouri's Medicaid program.

- 1. ICF/MR facilities.

A. Except in accordance with other provisions of this rule, the Missouri Medical Assistance Program shall reimburse providers of these LTC services based on the individual Medicaid-recipient days of care multiplied by the Title XIX prospective per-diem rate less any payments collected from recipients. The Title XIX prospective per-diem reimbursement rate for the remainder of state Fiscal Year 1987 shall be the facility's per-diem reimbursement payment rate in effect on October 31, 1986, as adjusted by updating the facility's allowable base year to its 1985 fiscal year. Each facility's per-diem costs as reported on its Fiscal Year 1985 Title XIX cost report will be determined in accordance with the principles set forth in this rule. If a facility has not filed a 1985 fiscal year cost report, the most current cost report on file with the department will be used to set its per-diem rate. Facilities with less than a full twelve (12)-month 1985 fiscal year will not have their base year rates updated.

B. For state FY-88 and dates of service beginning July 1, 1987, the negotiated trend factor shall be equal to two percent (2%) to be applied in the following manner: Two percent (2%) of the average per-diem rate paid to both state- and nonstate-operated ICF/MR facilities on June 1, 1987, shall be added to each facility's rate.

C. For state FY-89 and dates of service beginning January 1, 1989, the negotiated trend factor shall be equal to one percent (1%) to be applied in the following manner: One percent (1%) of the average per-diem rate paid to both state- and nonstate-operated ICF/MR facilities on June 1, 1988 shall be added to each facility's rate.

D. For state FY-91 and dates of service beginning July 1, 1990, the negotiated trend factor shall be equal to one percent (1%) to be applied in the following manner: One percent (1%) of the average per-diem rate paid to both state- and nonstate-operated ICF/MR facilities on June 1, 1990, shall be added to each facility's rate.

E. FY-96 negotiated trend factor. All nonstate-operated ICF/MR facilities shall be granted an increase to their per-diem rates effective for dates of service beginning January 1, 1996, of six dollars and seven cents (\$6.07) per patient day for the negotiated trend factor. This adjustment is equal to four and six-tenths percent (4.6%) of the weighted average per-diem rates paid to nonstate-operated ICF/MR facilities on June 1, 1995, of one hundred and thirty-one dollars and ninety-three cents (\$131.93).

F. State FY-99 trend factor. All nonstate-operated ICF/MR facilities shall be granted an increase to their per-diem rates effective for dates of service beginning July 1, 1998, of four dollars and forty-seven cents (\$4.47) per patient day for the trend factor. This adjustment is equal to three percent (3%) of the weighted average per-diem rate paid to nonstate-operated ICF/MR facilities on June 30, 1998, of one hundred forty-eight dollars and ninety-nine cents (\$148.99).

G. State FY-2000 trend factor. All nonstate-operated ICF/MR facilities shall be granted an increase to their per-diem rates effective for dates of service beginning July 1, 1999, of four dollars and sixty-three cents (\$4.63) per patient day for the trend factor. This adjustment is equal to three percent (3%) of the weighted average per-diem rate paid to nonstate-operated ICF/MR facilities on April 30, 1999, of one hundred fifty-four dollars and forty-three cents (\$154.43). This increase shall only be used for increases for the salaries and fringe benefits for direct care staff and their immediate supervisors.

H. State FY-2001 trend factor. All nonstate-operated ICF/MR facilities shall be granted an increase to their per-diem rates effective for dates of service beginning July 1, 2000, of four dollars and eighty-one cents (\$4.81) per patient day for the trend factor. This adjustment is equal to three percent (3%) of the weighted average per-diem rate paid to nonstate-operated ICF/MR facilities on April 30, 2000, of one hundred sixty dollars and twenty-three cents (\$160.23). This increase

shall only be used for increases for salaries and fringe benefits for direct care staff and their immediate supervisors.

2. Adjustments to rates. The prospectively determined reimbursement rate may be adjusted only under the following conditions:

A. When information contained in a facility's cost report is found to be fraudulent, misrepresented or inaccurate, the facility's reimbursement rate may be reduced, both retroactively and prospectively, if the fraudulent, misrepresented or inaccurate information as originally reported resulted in establishment of a higher reimbursement rate than the facility would have received in the absence of this information. No decision by the Medicaid agency to impose a rate adjustment in the case of fraudulent, misrepresented or inaccurate information in any way shall affect the Medicaid agency's ability to impose any sanctions authorized by statute or rule. The fact that fraudulent, misrepresented or inaccurate information reported did not result in establishment of a higher reimbursement rate than the facility would have received in the absence of the information also does not affect the Medicaid agency's ability to impose any sanctions authorized by statute or rules;

B. In accordance with subsection (6)(B) of this rule, a newly constructed facility's initial reimbursement rate may be reduced if the facility's actual allowable per-diem cost for its first twelve (12) months of operation is less than its initial rate;

C. When a facility's Medicaid reimbursement rate is higher than either its private pay rate or its Medicare rate, the Medicaid rate will be reduced in accordance with subsection (2)(B) of this rule;

D. When the provider can show that it incurred higher cost due to circumstances beyond its control and the circumstances are not experienced by the nursing home or ICF/MR industry in general, the request must have a substantial cost effect. These circumstances include, but are not limited to:

(I) Acts of nature, such as fire, earthquakes and flood, that are not covered by insurance;

(II) Vandalism, civil disorder, or both; or

(III) Replacement of capital depreciable items not built into existing rates that are the result of circumstances not related to normal wear and tear or upgrading of existing system;

E. When an adjustment to a facility's rate is made in accordance with the provisions of section (6) of this rule; or

F. When an adjustment is based on an Administrative Hearing Commission or court decision.

AUTHORITY: sections 208.153, 208.159, 208.201, RSMo 1994. This rule was previously filed as 13 CSR 40-81.083. Original rule filed Aug. 13, 1982, effective Nov. 11, 1982. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 15, 2000.

PUBLIC COST: This proposed amendment is estimated to cost state agencies or political subdivisions \$163,275.45 in State Fiscal Year 2001.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Division of Medical Services, Director of Medicaid, P.O. Box 6500, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. If to be hand-delivered, comments must be brought to the Office of Medical Services at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

FISCAL NOTE
PUBLIC ENTITY COST**I. RULE NUMBER**

13 -- Department of Social Services
 Title: _____
 70 -- Division of Medical Services
 Division: _____
 10 -- Nursing Home Program
 Chapter: _____
 Proposed Amendment
 Type of Rulemaking: _____
 13 CSR 70-10.030 Prospective Reimbursement Plan for Nonstate-
 Rule Number and Name: _____
 Operated Facilities for ICF/MR Services

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services	Annual Estimated Cost:\$163,275.45

III. WORKSHEET

Weighted average rate @ 4/30/00 \$160.23
 Trend Factor 3%
 Per Diem Trend \$ 4.47

IV. ASSUMPTIONS

Patient days for Nonstate-operated ICF/MR facilities will remain constant with patient days in fiscal year 2000. The trend factor will be arrived at through use of the April 2000 weighted average of all Nonstate-operated ICF/MR facilities.

Title 15—ELECTED OFFICIALS
Division 30—Secretary of State
Chapter 4—Postcard Voter Application and Forms

PROPOSED AMENDMENT

15 CSR 30-4.010 Postcard Voter Application and Forms. The division is amending subsection (2)(D) and replacing the form that follows this rule in the *Code of State Regulations*.

PURPOSE: This amendment clarifies language related to the use and dissemination of information collected on, and replaces the postcard voter application form. This amendment also corrects a typographical error in the previous amendment to the rule.

(2) Postcard Application Form Format and Content—

(D) The format and questions shall be printed in black ink, except that numbers 1–10 and the statement, “YOUR APPLICATION WILL BE CONFIRMED BY MAIL WITHIN SEVEN (7) **BUSINESS DAYS. PLEASE CONTACT THE ELECTION AUTHORITY IF YOU DO NOT RECEIVE NOTIFICATION,**” shall be printed in red ink.

(5) The postcard voter application form which is incorporated herein by reference shall be reproduced in the following form:

MISSOURI VOTER REGISTRATION APPLICATION				
USE PEN - PLEASE PRINT CLEARLY				
PC				
YOUR APPLICATION WILL BE CONFIRMED BY MAIL WITHIN 7 BUSINESS DAYS. CONTACT THE ELECTION AUTHORITY IF YOU DO NOT RECEIVE NOTIFICATION.				
1	<input type="checkbox"/> NEW REGISTRATION <input type="checkbox"/> ADDRESS CHANGE <input type="checkbox"/> NAME CHANGE			FOR OFFICE USE ONLY REGISTRATION NO.
2	Mr _____ Mrs _____ Miss _____ Ms _____	LAST NAME	FIRST NAME	MIDDLE NAME
SUFFIX (CIRC. F) JR. SR. H III IV				
3	ADDRESS WHERE YOU LIVE (HOUSE NO., STREET, APT. NO. OR RURAL ROUTE AND BOX NO.)		CITY	COUNTY
4	ADDRESS WHERE YOU GET YOUR MAIL (IF DIFFERENT FROM #3 ABOVE)		CITY	STATE
ZIP CODE				
5	DATE OF BIRTH PLACE OF BIRTH (OPTIONAL)*	6	LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER**	7
DAYTIME PHONE NO. (OPTIONAL)*				
8	NAME AND ADDRESS ON LAST VOTER REGISTRATION		10 I hereby certify that I am a citizen of the United States and a resident of Missouri. I am at least seventeen and one half years of age. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or a misdemeanor connected with the right of suffrage, I have had the voting disabilities from such conviction removed pursuant to law. I swear under penalty of perjury that all statements made on this card are true to the best of my knowledge and belief.	
NAME _____		ADDRESS _____		
CITY _____		STATE _____		
COUNTY _____		Date _____ Signature _____		
9	RURAL VOTERS: COMPLETE THIS SECTION IF YOU LIVE OUTSIDE THE CITY LIMITS OF ANY CITY. I live _____ miles N S E W (circle one) of _____ (landmark or junction). Section, Township and range _____ My neighbors are _____			
Warning: Conviction for making a false statement may result in imprisonment for up to five years and/or a fine up to \$10,000. <small>MO 231-0162 (8-99)</small> <small>*Information designated as optional is disclosed at the option of the registrant and will be used only by authorized officials to combat voter fraud and facilitate orderly elections.</small> <small>**Required for registration unless no Social Security number exists for applicant.</small>				

PLACE
FIRST
CLASS
STAMP
HERE

MISSOURI VOTER REGISTRATION

 _____ MO _____

MISSOURI VOTER REGISTRATION APPLICATION

USE PEN - PLEASE PRINT CLEARLY

PC

YOUR APPLICATION WILL BE CONFIRMED BY MAIL WITHIN 7 BUSINESS DAYS. CONTACT THE ELECTION AUTHORITY IF YOU DO NOT RECEIVE NOTIFICATION.

1	<input type="checkbox"/> NEW REGISTRATION <input type="checkbox"/> ADDRESS CHANGE <input type="checkbox"/> NAME CHANGE			FOR OFFICE USE ONLY REGISTRATION NO.	
2	Mr. Mrs. Miss Ms.	LAST NAME	FIRST NAME	MIDDLE NAME	SUFFIX (CIRCLE) Jr. Sr. II III IV
3	ADDRESS WHERE YOU LIVE (HOUSE NO., STREET, APT. NO. OR RURAL ROUTE AND BOX NO.)			CITY	COUNTY ZIP CODE
4	ADDRESS WHERE YOU GET YOUR MAIL (IF DIFFERENT FROM #3 ABOVE)			CITY	STATE ZIP CODE
5	DATE OF BIRTH MO. DAY YR.		PLACE OF BIRTH (OPTIONAL)	6 LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER*	7 DAYTIME PHONE NO. (OPTIONAL)
8	NAME AND ADDRESS ON LAST VOTER REGISTRATION NAME _____ ADDRESS _____ CITY _____ STATE _____ COUNTY _____			10 I hereby certify that I am a citizen of the United States and a resident of Missouri. I am at least seventeen and one half years of age. I have not been adjudged incapacitated by any court of law. If I have been convicted of a felony or a misdemeanor connected with the right of suffrage, I have had the voting disabilities from such conviction removed pursuant to law. I swear under penalty of perjury that all statements made on this card are true to the best of my knowledge and belief. Date _____ Signature _____	
9	RURAL VOTERS: COMPLETE THIS SECTION IF YOU LIVE OUTSIDE THE CITY LIMITS OF ANY CITY. I live _____ miles N S E W (circle one) of _____ (landmark or junction). Section, Township and range _____ My neighbors are _____				

Warning: Conviction for making a false statement may result in imprisonment for up to five years and/or a fine up to \$10,000.

MO 231-0169 (9-00)

*Required for registration pursuant to §115.155 RSMo and will be used only by authorized officials to combat voter fraud and facilitate orderly elections.

PLACE
FIRST
CLASS
STAMP
HERE

MISSOURI VOTER REGISTRATION

MO _____

AUTHORITY: sections 115.155.5 and 115.159, RSMo [Supp. 1998] Supp. 1999. Emergency rule filed Nov. 10, 1993, effective Nov. 20, 1993, expired March 19, 1994. Emergency rule filed Feb. 23, 1994, effective March 20, 1994, expired May 8, 1994. Original rule filed Nov. 10, 1993, effective May 9, 1994. Amended: Filed Aug. 27, 1999, effective Feb. 29, 2000. Emergency amendment filed Sept. 26, 2000, effective Oct. 6, 2000, expires April 3, 2001. Amended: Filed Sept. 26, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Secretary of State, 600 West Main St., P.O. Box 1767, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS

Division 60—Attorney General

Chapter 13—Rules for the Establishment of a Missouri No-Call Database

PROPOSED RULE

15 CSR 60-13.010 Definitions

PURPOSE: This rule clarifies that the definitions pertaining to the establishment of a Missouri no-call database created by residential subscribers providing notice to the Attorney General of their objection to receiving telephone solicitations are the same as those appearing in section 407.1095, RSMo 2000, and provides definitions for certain other terms used in that statute.

(1) The terms used in Chapter 13, Division 60, Title 15 of the *Code of State Regulations* bear the same meaning in the rules pertaining to the establishment of a no-call database as they do in section 407.1095, RSMo 2000, as amended from time-to-time. In addition, the term “telephone number” as used in Chapter 13, Division 60, Title 15 of the *Code of State Regulations*, is interchangeable with the term “telephone line” as used in section 407.1098, RSMo 2000, as amended from time-to-time.

(2) The following definitions further clarify terms used in section 407.1095, RSMo 2000 and Chapter 13, Division 60, Title 15 of the *Code of State Regulations*:

(A) “ADAD,” also known as “automatic dialing and announcing device,” means any device or system of devices which is used, whether alone or in conjunction with other equipment, for the purposes of automatically selecting or dialing telephone numbers and disseminating recorded messages to the numbers so selected or dialed;

(B) “Bona fide member,” for the purposes of section 407.1095(3)(c), RSMo means without regard to what a person is called in the articles or bylaws, any person or persons who on more than one occasion, pursuant to a provision of the Chapter 501(c)(3) entity’s articles or bylaws, have a right to vote for the election of a director or directors; but a person is not a “bona fide member” by virtue of any of the following:

1. Any rights such person has as a delegate;
2. Any rights such person has to designate a director or directors; or
3. Any rights such person has as a director;

(C) “Business contact” means a specific oral or written communication at a verifiable date and time pertaining to the residential subscriber’s income-generating activities, as opposed to his or her personal consumer activities;

(D) “Current business relationship” means a relationship characterized by reciprocal communication between the person or entity interested in calling the residential subscriber and pertaining to the residential subscriber’s income-generating activities, as opposed to his or her personal consumer activities;

(E) “Person” exclusively for the purposes of section 407.1095(2), RSMo means a human being who has reached the legal age set forth in section 431.055, RSMo, as amended, and authorized by the residential subscriber to grant telephone solicitors express invitation or permission to call the residential subscriber’s telephone number; and if the residential subscriber has not reached the legal age, set forth in section 431.055, RSMo, as amended, person shall mean his or her parent or legal guardian;

(F) “Prior express invitation or permission” means a specific oral or written grant of authority made by the residential subscriber at a verifiable date and time authorizing a person or entity interested in making telephone solicitations to call the residential subscriber’s telephone number for the purposes of making a telephone solicitation;

(G) “Referral” means a communication at a verifiable date and time to the person or entity interested in calling the residential subscriber’s telephone number by a third party if the residential subscriber has previously contacted the third party indicating that the residential subscriber would welcome the call to his or her telephone number; and

(H) “Working from his or her primary residence” means conducting income-generating activities from the location where the person interested in calling the residential subscriber’s telephone number resides, but does not include calls that are normally made from a location other than that person’s residence made by that person from his or her residence.

AUTHORITY: section 407.1101, RSMo 2000. Original rule filed Sept. 28, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Attorney General, Jeremiah W. “Jay” Nixon, c/o Ronald Molteni, Assistant Attorney General, P.O. Box 899, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS

Division 60—Attorney General

Chapter 13—Rules for the Establishment of a Missouri No-Call Database

PROPOSED RULE

15 CSR 60-13.020 Methods by Which Residential Subscribers May Give Notice of Objection to Receiving Telephone Solicitations

PURPOSE: This rule describes the methods and mechanics of how residential subscribers may give the Attorney General notice of their objection to receiving telephone solicitations so that the Attorney General can establish Missouri’s no-call database.

(1) A residential subscriber living or residing in Missouri, may give notice of his or her objection to receiving telephone solicitations, and thus, have his or her telephone number listed in Missouri's no-call database by doing any of the following:

(A) Completing a written form designed by the Attorney General's Office for the purpose of recording a residential subscriber's notice of objection to receiving telephone solicitations and submitting that completed form to the Attorney General's Office; or

(B) Calling a toll-free number established by the Attorney General's Office for the purpose of recording a residential subscriber's notice of objection to receiving telephone solicitations and properly responding to the voice prompts; or

(C) Accessing the appropriate Internet site established by the Attorney General's Office for the purpose of recording a residential subscriber's notice of objection to receiving telephone solicitations and inputting the proper data requested by the website prompts.

(2) The no-call database shall consist of the aggregate collection of the telephone numbers of properly submitted notices of objection to receiving telephone solicitations. The Attorney General may maintain the no-call database in either a written or an electronic format.

(3) The telephone numbers of properly submitted notices of objection to receiving telephone solicitations shall become part of the no-call database in the quarter following the deadline for receipt of notice according to the following schedule:

Receipt Deadline	Calendar Quarter
November 1	January–March
February 1	April–June
May 1	July–September
August 1	October–December

AUTHORITY: section 407.1101, RSMo 2000. Original rule filed Sept. 28, 2000.

PUBLIC COST: This proposed rule will cost the Attorney General approximately \$654,853 during the first full fiscal year of implementation and \$542,466 annually thereafter. The cost will consist of establishing and providing the written material, costs for establishing a toll-free automated service, toll-free operator service and providing Internet access to register. The costs include personnel, equipment and software.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Attorney General, Jeremiah W. "Jay" Nixon, c/o Ronald Molteni, Assistant Attorney General, P.O. Box 899, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 15 - Elected OfficialsDivision: 60 - Attorney GeneralChapter: 10 - Rules for Establishment of a Missouri No-Call DatabaseType of Rulemaking: New RuleRule Number and Name: 15 CSR 60-10.020 - Methods by which residential subscribers may give notice of objection to receiving telephone solicitations.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Missouri Attorney General's Office	\$654,853 FY 2001 (\$542,466 - annually thereafter)

III. WORKSHEET

In the section the Attorney General is required to consider several costs including personal services, data processing, furniture, travel, office expense, communication, and other items.

1. One-time cost or revenue fluctuations (do not include in analyzed fiscal impact)				
II. Fund Costs by Category	FY 01	FY 02	FY 03	Annualized Fiscal Impact
Salaries	\$ 201,250	\$ 247,538	\$ 253,726	\$ 247,538
Fringe Benefits	61,884	76,118	78,021	75,118
Equipment and Expense	241,719	218,811	225,375	218,811
Local Assistance	0	0	0	0
Other Costs (Start-up Costs)	75,000	0	0	0
Total Fund Costs - All Categories	654,853	542,466	557,122	542,466

IV. ASSUMPTIONS

1. The estimated cost of running this unit were considered. This included rental space for the unit in St. Louis. Additionally, it considers startup costs regarding an Internet access page, 800 - automated phone system, 800 toll free lines, and public outreach. This includes personnel services, data processing costs, furniture, office expense, and communication cost.
2. In regard to personal services the AGO assumed the need for one (1) AAG IV, one (1) AAG III, four (4) investigators, one (1) legal secretary and .5 information system technician.
3. The AGO explored and considered the State of Georgia which has similar no-call legislation and the State of Tennessee. The State of Tennessee has approximately 2.0 million residential lines. The State of Missouri has approximately 3.5 million residential lines. Tennessee has a no-call database consisting of approximately 500,000 residential phone lines. This equals approximately 25 % of available residential phone lines on the Tennessee database. Tennessee is a "no fee" state, similar to Missouri. Missouri used Tennessee's database numbers in considering its financial obligations.

Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 13—Rules for the Establishment of a Missouri
No-Call Database

PROPOSED RULE

15 CSR 60-13.030 Duration that a Residential Subscriber's Notice of Objection to Receiving Telephone Solicitations is Effective

PURPOSE: This rule sets forth the duration that a residential subscriber's notice of objection to receiving telephone solicitations is effective.

A notice of objection to receiving telephone solicitations shall remain in effect for two years from the date that telephone number first appears in the no-call database. The notice of objection shall be automatically renewed unless the residential subscriber to whom that telephone number is assigned provides written notice to the Attorney General's Office that he or she does not want the Attorney General to automatically renew the notice of objection. To facilitate a conscious choice by consumers, the Attorney General may send a notice letter explaining to the residential subscriber that his or her notice of objection to receiving telephone solicitation is due to expire and that it will be automatically renewed unless the residential subscriber returns the notice letter form indicating his or her preference otherwise.

AUTHORITY: section 407.1101, RSMo 2000. Original rule filed Sept. 28, 2000.

PUBLIC COST: This proposed rule will cost the Attorney General approximately \$919,500 for the first four years commencing during the first full fiscal year of implementation and cost will be incurred annually continuing indefinitely thereafter for the life of the rule. The cost will consist of maintaining the no-call database, materials and postage. The costs include personnel, equipment and software.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Attorney General, Jeremiah W. "Jay" Nixon, c/o Ronald Molteni, Assistant Attorney General, P.O. Box 899, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 15 - Elected Officials

Division: 60 - Attorney General

Chapter: 13 - Rules for Establishment of a Missouri No-Call Database

Type of Rulemaking: New Rule

Rule Number and Name: 15 CSR 60-13.030 - Duration that a residential subscriber's notice of objection to receiving telephone solicitations is effective.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Missouri Attorney General's Office	\$919,500 first four years, \$267,000 annualized thereafter

The estimated cost of maintaining the no-call database list requires, in part, ongoing mailings by the Attorney General's Office. Duration on the list under this rule is effective for two years. Mailing of materials may occur in FY 01 and will occur in FY 02 and beyond for the life of the rule. The cost will begin in FY 01 and continue for the indefinite life of the rule. The calculations for the aggregate cost estimate is through FY 04. The annualized fiscal impact is \$165,000. The life of the rule is expected to be more than five years.

III. WORKSHEET

In this section the Attorney General has considered the costs of mailing, including materials and postage.

	FY 01	FY 02	FY 03	FY 04	Annualized Fiscal Impact
Estimated number of residential phone lines	250,000	500,000	500,000	500,000	
Cost of materials and postage	\$ 128,500	\$ 257,000	\$ 267,000	\$ 267,000	\$267,000

IV. ASSUMPTIONS

1. The Office of the Attorney General will conduct mailings at various times throughout the life of the rules to the Missouri consumers that comprise the no-call database. This will require material and postage costs on an annual basis. The personal costs for these efforts is set out in the fiscal note for 15 CSR 60-13.020.
2. The Office of the Attorney General will begin taking names on January 1, 2001. Therefore, for FY 2001, the total number of registered phone lines and the resulting mailings will be less than the number for subsequent fiscal years. Additionally, these costs will increase in FY 03 and FY 04 when the renewal periods will begin to run for phone lines on the database.
3. The numbers assume an increase in the price of materials and postage over time for the later fiscal years.
4. The Office of the Attorney General has assumed for this note that the number of registered phone lines will rise to 500,000 and hold.

Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 13—Rules for the Establishment of a Missouri
No-Call Database

PROPOSED RULE

15 CSR 60-13.040 Effect of a Change of Telephone Number on a Residential Subscriber's Notice of Objection to Receiving Telephone Solicitations

PURPOSE: This rule describes the effect of a change of telephone number on a notice of objection to receiving telephone solicitations filed by a residential subscriber.

If a residential subscriber whose telephone number is part of the no-call database changes telephone numbers, he or she will have to submit a new notice of objection to receiving telephone solicitations pursuant to 15 CSR 60-13.020, subject to the deadlines therein, and provide the new telephone number to the Attorney General's Office.

AUTHORITY: section 407.1101, RSMo 2000. Original rule filed Sept. 28, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Attorney General, Jeremiah W. "Jay" Nixon, c/o Ronald Molteni, Assistant Attorney General, P.O. Box 899, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 13—Rules for the Establishment of a Missouri
No-Call Database

PROPOSED RULE

15 CSR 60-13.050 Method by Which a Residential Subscriber or a Certificated Local Exchange Carrier May Revoke Notice of Objection to Receiving Telephone Solicitations

PURPOSE: This rule sets forth the method by which residential subscribers may revoke their notice of objection to receiving telephone solicitations.

A residential subscriber may revoke notice of objection to receiving telephone solicitations by completing a written form designed by the Attorney General's Office for the purpose of revoking a residential subscriber's notice of objection to receiving telephone solicitations and submitting that completed form to the Attorney General's Office. A residential subscriber may also revoke his or her notice of objection to receiving telephone solicitations by accessing the appropriate Internet site established by the Attorney General and inputting the proper data requested by the website prompts. Upon receipt of such revocation notice, the Attorney General's Office will remove the relevant telephone number from the no-call database according to the same schedule used for adding telephone numbers to the no-call database. In addition, the Attorney General's Office may remove a telephone number from

the no-call database if the Missouri certificated local exchange carrier responsible for the assignment of the relevant telephone number indicates in writing or, if available, by Internet, to the Attorney General's Office that the residential subscriber who submitted the objection to receiving telephone solicitations is no longer assigned that telephone number.

AUTHORITY: section 407.1101, RSMo 2000. Original rule filed Sept. 28, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Attorney General, Jeremiah W. "Jay" Nixon, c/o Ronald Molteni, Assistant Attorney General, P.O. Box 899, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 13—Rules for the Establishment of a Missouri
No-Call Database

PROPOSED RULE

15 CSR 60-13.060 Methods by Which a Person or Entity Desiring to Make Telephone Solicitations Will Obtain Access to the Database of Residential Subscribers' Notices of Objection to Receiving Telephone Solicitations and the Cost Assessed for Access to the Database

PURPOSE: This rule sets forth the methods by which persons or entities desiring to make telephone solicitations will obtain access to the database of residential subscribers' notices of objection to receiving telephone solicitations, and it sets forth the cost assessed for access to that database. Persons or entities obtaining copies of the no-call database are reminded that the no-call database is updated quarterly.

(1) A person or entity desiring to make telephone solicitations to residential subscribers residing or living in Missouri may obtain a copy of the no-call database by doing the following:

(A) Signing a written confidentiality agreement prepared by the Attorney General's Office that 1) restricts use of the no-call database exclusively for the purpose of compliance with sections 407.1095 to 407.1113, RSMo 2000, as amended from time-to-time, and 2) prohibits the transfer of the copy of the no-call database to any person or entity who has not submitted the signed written confidentiality agreement and payment to the Attorney General's Office for receipt of a copy of the no-call database; and

(B) Submitting the signed confidentiality agreement along with payment in the amount of \$25 per quarter to the Attorney General's Office of providing the copy of the no-call database.

(2) A person or entity who initiates any voice communication over a telephone line from a live operator, through the use of ADAD equipment or by other means for the purpose of encouraging the purchase or rental of, or investment in, property, goods or services and who claims that such communication falls under one of the exclusions to the definition of "telephone solicitation" appearing in section 407.1095(3), RSMo, as amended, shall provide notice to the Attorney General's Office of that person or entity's intention to

utilize the claimed exclusion along with an explanation of the basis for that person's claimed exclusion. If the Attorney General's Office agrees that the person or entity submitting the exclusion notice is in fact and as a matter of law entitled to utilize the claimed exclusion, the Attorney General's Office may recognize that person or entity's use of the exclusion by informing the person or entity that the Attorney General's Office recognizes the claimed exclusion. The Attorney General's Office may also investigate the claimed exclusion using the powers available under section 407.1110, RSMo, as amended. If the Attorney General's Office a) does not inform the person or entity submitting the claimed exclusion that the Attorney General's Office recognizes the exclusion or expressly informs that person that the Attorney General's Office does not recognize the claimed exclusion; or b) if a person or entity who initiates any voice communication over a telephone line from a live operator, through the use of ADAD equipment or by other means for the purpose of encouraging the purchase or rental of, or investment in, property, goods or services and who claims that such communication falls under one of the exclusions to the definition of "telephone solicitation" appearing in section 407.1095(3), RSMo, does not submit a notice of the claimed exclusion to the Attorney General's Office; then that person or entity shall not have established and implemented, with due care, reasonable practices and procedures to effectively prevent telephone solicitations.

AUTHORITY: section 407.1101, RSMo 2000. Original rule filed Sept. 28, 2000.

PUBLIC COST: This proposed rule will cost the Attorney General approximately \$4,000 in the aggregate during the first year of implementation and \$4,000 annually thereafter.

PRIVATE COST: This proposed rule will cost private entities approximately \$7,250 in the aggregate during FY 01, and approximately \$29,000 annually thereafter.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Attorney General, Jeremiah W. "Jay" Nixon, c/o Ronald Molteni, Assistant Attorney General, P.O. Box 899, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

FISCAL NOTE
PUBLIC ENTITY COST

I. RULE NUMBER

Title: 15 - Elected Officials

Division: 60 - Attorney General

Chapter: 10 - Rules for the Establishment of a Missouri No-Call Database

Type of Rulemaking: Proposed New Rule

Rule Number and Name: 15 CSR 60-10.060 - Methods by Which a Person or Entity Desiring to Make Telephone Solicitations Will Obtain Access to Database of Residential Subscribers' Notices of Objection to Receiving Telephone Solicitations and the Cost Assessed for Access to the Database.

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Missouri Attorney General's Office	\$4,000 *

* This figure does not include an aggregate cost for FY 00. The costs will run annually starting in FY 01 and continue for the indefinite life of the rule on an annual basis.

The cost to the Attorney General's Office will include the cost of preparing and mailing the database on a quarterly basis.

III. WORKSHEET

II. Fund Costs by Category	FY 00	FY 01	FY 02	FY 03	FY 04
Disk Production Cost		\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000

* Assumes 40 entities at \$100 each

IV. ASSUMPTIONS

1. Determining the number and types of entities affected by these rules cannot be estimated with greater specificity than appears in this fiscal note because business entities' use of telephone solicitations vary greatly. In an effort to provide information to the potential affected entities, we have looked at Tennessee as we have done in regard to the number of residential consumers that have entered the database. Tennessee began taking names January 1, 2000, and required its telemarketers to receive the information beginning August 1, 2000. It currently has 290 entities that are required to obtain the database on a monthly basis.

2. The Attorney General's Office will have the capability to produce the database on CD. This cost is part of the start-up costs set out in 15 CSR 60-10.020. The cost of producing the CD is approximately \$25 a piece. Using \$25 and assuming the Tennessee number of 40, this results in a quarterly cost of \$1,000 or \$4,000 per year. The postage cost for mailing the database to be nominal at approximately \$500 per year. The remaining requests, again using the Tennessee numbers, will be performed by e-mail and will include only a nominal charge, if any.

3. IT Personnel in the Attorney General's Office were consulted regarding the computer/material costs under this rule.

FISCAL NOTE
PRIVATE ENTITY COST

I. RULE NUMBER

Title: 15 - Elected Officials

Division: 60 - Attorney General

Chapter: 10 - Rules for the Establishment of a Missouri No-Call Database

Type of Rulemaking: Proposed New Rule

Rule Number and Name: 15 CSR 60-10.060 - Methods by Which a Person or Entity Desiring to Make Telephone Solicitations Will Obtain Access to Database of Residential Subscribers' Notices of Objection to Receiving Telephone Solicitations and the Cost Assessed for Access to the Database.

II. SUMMARY OF FISCAL IMPACT

Estimated number of entities which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Annualized estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
290 *	* Home improvement, alarm companies, funeral homes/monument companies, long distance phone companies, local exchange phone companies, suppression list companies, information companies, heating and cooling, mortgage companies, insurance agents, real estate companies, stockbrokers, magazine publishing and direct marketing corporations, carpet cleaners, chiropractors, car dealers, vacation/travel related companies, resort/time share companies, roofing and remodeling, insurance-health/life, financial organizations, certified public accountants, window companies, hearing aid companies, bottled water companies, photography, Internet service providers, for-profit companies representing handicapped/disabled, credit cards, satellite TV/cable companies, credit card protection companies, fine arts/orchestra, dance clubs, appliance repairs company, gambling organizations, Tupperware/Mary Kay/special utensils, lawn care, newspapers, voice mail/beeper services.	\$ 29,000 *

* The numbers set out in the summary of Fiscal Impact regard the annual cost for the life of the rule. The numbers cannot be estimated with greater specificity than contained in this fiscal note because business entities often vary their operating practices. The cost in the aggregate could exceed \$500 but are unquantifiable. The fiscal note serves notice to businesses that utilize telephone solicitations that they may incur costs which will vary greatly dependent upon their use of telephone solicitations. For purposes of this rule we have referred to the State of Tennessee who has had its database operational from January 1, 2000, and its telemarketer database operational from August 1, 2000. As of the date of this rule 290 telemarketers are unlisted on the telemarketers database in the State of Tennessee.

III. WORKSHEET

Type of costs per entity	FY 01	FY 02	FY 03	FY 04
Database acquisition cost	\$ 25	\$ 100	\$ 100	\$ 100
Implementation of database by business entity	*	*	*	*
Exclusion determination process	**	**	**	**
Totals per entity	\$ 25***	\$ 100***	\$ 100***	\$ 100***
Totals for all affected entities	\$7,250***	\$29,000***	\$29,000***	\$29,000***

Businesses using telephone solicitations should expect annual costs after FY 04 for the life of the rule as set out in FY 04.

*1. As indicated in the Assumptions, this cost is impossible to determine without knowing the business set-up, but is expected to be a nominal cost.

**2. As indicated in the Assumptions, this cost is impossible to determine without knowing the business set-up, but is expected to be a nominal cost.

***3. Includes any charges in the implementation of the database and exemption determination process.

IV. ASSUMPTIONS

1. All business entities who use telephone solicitations are required to obtain and use the no-call database for their business operations. The annual cost of obtaining the database is \$25/quarter or \$100/year. The business entities are required to use the list effective July 1, 2001. It is assumed that the business entities may obtain the database in the last quarter of FY 01. The business entities will be assessed the yearly fee in FY 02.

2. Determining the number and types of entities affected by these rules cannot be

estimated with greater precision than appear herein because the rule could apply to any business entity that uses telephone solicitations. Additionally, the needs of specific businesses will change and so will the use of telemarketing. In an effort to provide information to all the potential entities impacted, we have looked at Tennessee as we have done in regard to the number of residential consumers who have entered the database. Tennessee, like Missouri, is a "no-fee" state. Tennessee began taking entries on January 1, 2000, and required its telemarketers to receive the information beginning August 1, 2000. It currently has 290 entities that obtain the database on a monthly basis. Two hundred fifty entities receive this by e-mail and 40 by disk.

3. The second portion of potential costs consists of the implementation of the database into its daily operations. Each business entity will exercise its own control on how to use the database. For that reason, the cost of implementation, if any, will vary and cannot be estimated with greater specificity than appears in this fiscal note. The remaining cost issue is the determination of whether a particular entity will incur costs to determine its exemption status. Again, what entities will use "telephone solicitations" will vary greatly. For this reason, though each entity's cost may be nominal, aggregate costs are not quantifiable with greater specificity than appears within this fiscal note. The database acquisition and implementation costs will be annual charges recurring in perpetuity. The exemption process should be a one time charge, assuming no change in a business entity's business practice. The annual costs will start in FY 01 and continue for the indefinite life of the rule.

Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 13—Rules for the Establishment of a Missouri
No-Call Database

PROPOSED RULE

15 CSR 60-13.070 Other Matters Relating to the Database of Residential Subscribers' Notices of Objection to Receiving Telephone Solicitations

PURPOSE: This rule sets forth other matters relating to the database of residential subscribers' notice of objection to receiving telephone solicitations.

(1) No person who obtains a copy of the no-call database may use that information for purposes other than compliance with sections 407.1098 and 407.1101, RSMo 2000, as amended from time-to-time.

(2) The Attorney General's Office may use monies collected pursuant to 15 CSR 60-13.060 to carry out the functions set forth in sections 407.1095 to 407.1113, RSMo 2000, as amended from time-to-time.

AUTHORITY: section 407.1101, RSMo 2000. Original rule filed Sept. 28, 2000.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Attorney General, Jeremiah W. "Jay" Nixon, c/o Ronald Molteni, Assistant Attorney General, P.O. Box 899, Jefferson City, MO 65102. To be considered, comments must be received within thirty days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 19—DEPARTMENT OF HEALTH
Division 10—Office of the Director
Chapter 4—Coordinated Health Care Services

PROPOSED AMENDMENT

19 CSR 10-4.020 J-1 Visa Waiver Program. The department proposes to amend paragraphs (2)(A)13. and (7)(C)1. and sections (3), (5), (6), and (7); to add subsections (3)(A), (3)(B), (5)(A), (6)(A), (6)(B), and paragraph (7)(C)3.; and to renumber the affected sections.

PURPOSE: This proposed amendment is to add: (1) the requirement and the criteria for a facility to be predetermined as eligible to participate in the J-1 Visa Program; (2) the ability of the department to determine that emergency rooms are primary care clinical settings and may participate in the J-1 Visa Program; (3) the ability and the criteria necessary for physicians trained in other specific high need specialties besides primary care to participate in the J-1 Visa Program; and (4) a biannual reporting requirement for facilities that participate in the J-1 Visa Program.

(2) The department is committed to assisting all residents of Missouri to have access to quality, affordable health care. Therefore, under certain conditions, the department is prepared to consider recommending a waiver of the foreign residence requirement on behalf of physicians holding J-1 visas.

(A) A waiver request must come from a Missouri health care facility on behalf of a J-1 physician and not directly from a J-1 physician. All of the required information and documentation must be submitted in a single package with the documents presented in the order in paragraphs (2)(A)1.-14. Waiver requests that do not comply with these requirements will not be considered. The required documents include:

1. A letter from the head of the facility at which the physician will be employed that—

A. Requests that the department act as an interested government agency and recommend a waiver for the J-1 physician;

B. Summarizes how the health care facility has attempted to locate qualified United States physicians;

C. Describes the physician's qualifications, proposed responsibilities and how his/her employment will satisfy important unmet health care needs of a medically underserved rural community; and

D. States unequivocally that the facility is offering the physician at least three (3) years of employment in a job consistent with the department's mission;

2. A detailed description of the health care facility will be provided, including the nature and extent of the facility's medical services;

3. Valid contract of employment with the health care organization for not less than three (3) years;

4. List of HPSAs or documentation from state and local health care officials stating need for services of the physician;

5. Recruitment and retention efforts including copies of advertisements, agreements with placements services or other like documentation, and if these are not available, a detailed statement describing recruitment efforts. A statement should be submitted detailing the plans for retaining the physician during and beyond the three (3)-year obligation;

6. Effect on area of waiver denial;

7. Qualifications, including proof of Missouri medical licensure eligibility;

8. Physician's curriculum vitae and letters of recommendation;

9. Copies of all IAP-66s of physician, copies of I-94s of physician and family members, and proof of passage of examinations required by the United States Immigration and Naturalization Service;

10. Completed physician data sheet (attached as Appendix A);

11. Completed J-1 visa waiver policy affidavit and agreement (attached as Appendix B);

12. Valid offer of employment with health care organization for at least three (3) years;

13. *[A copy of the no objection letter from the home government] A copy of the notice from the department that the facility has been pre-determined eligible for participation in the program;* and

14. An original and one (1) unbound copy of the entire package should be included.

(3) Missouri health care facilities seeking to employ a foreign medical graduate holding a J-1 visa *[may request a packet of materials and instructions detailing the information and documentation that is required in order to submit an appropriate case file for review from the department's Center for Local Public Health Services] must be pre-determined by the department as eligible for participation in the J-1 Visa Waiver Program.*

(A) Eligible applicants will provide the department the following information and assurances:

1. Estimated enumeration of the patient population to be served.

2. Description of demographic characteristics of the population(s) to be served, including age groups, ethnicity, poverty status, health status and insurance coverage.

3. A copy of the sliding fee scale and the applicable policy utilized by the facility.

(B) Eligible applicants may request a packet of materials and instructions detailing the information and documentation that is required in order to submit an appropriate case file for review from the department.

(5) The department's J-1 Visa Waiver Program in Missouri *[is limited]* will give priority to those physicians who are board-eligible or board-certified in one (1) of the following specialties: Family Practice, General Practice, General Pediatrics, Obstetrics/Gynecology, General Internal Medicine or Psychiatry and providing services in a primary care clinical setting. Physicians with other subspecialties or fellowship experience are not considered to be primary care physicians for the purpose of the J-1 Visa Waiver Program in Missouri *[and therefore are not eligible for participation]*. The credentials of the J-1 physician must be confirmed by the Missouri Board of Healing Arts. The physician must be eligible for licensure in Missouri.

(A) The department may determine emergency rooms to be primary care clinical settings where substantial amounts of primary care services are delivered in that setting. In order to qualify for participation, the sponsoring facility must provide the following:

1. The number and types of primary care encounters in the emergency room.

2. The demographic characteristics of the populations accessing primary care services in the emergency room.

3. The payor source for primary care services in the emergency room.

4. Documentation that primary care services for the identified population(s) are not available in the community.

(6) In addition to the eligible physicians set forth in section (5), waivers may be recommended for other specialties and subspecialties.

(A) Physicians trained in other specialties may be considered for placement in the J-1 Visa Program in Missouri based on the following criteria:

1. Vacant slots in the program must be available; and

2. The employer must demonstrate that the specialist services are essential to the medical needs of the underserved; and

3. The specialty physician's application must have the concurrence in writing of the primary care physicians practicing in the community that the specialty is needed in the area; and

4. The specialty physician's application must comply with all other requirements of the J-1 Visa Program.

(B) Only four (4) slots will be allocated to specialty placement in any given program year.

[[6]] (7) It is the responsibility of the physician and the employer to meet Missouri's licensing and credentialing requirements as delineated by the Missouri Board of Healing Arts.

[[7]] (8) A request for a J-1 visa waiver for a physician to enter private practice shall comply with the following:

(A) The practice must be located in a HPSA;

(B) The owner of the practice must be the employer for the J-1 physician and must submit a letter of support for the J-1 visa waiver request;

(C) The practice employer must—

1. Certify that it will provide *[primary]* health care services to all patients, including Medicare and Medicaid patients, without regard to ability to pay or the source of payment and must include a sliding fee scale for adjusting patient bills for those who are unable to pay; and

2. Conspicuously post the sliding fee scale in the practice site, in the language(s) of patients receiving services; and

3. Provide the department two (2) reports each calendar year detailing the following:

A. The number of patients covered by sliding fee scale services;

B. The number of Medicaid patients served;

C. The number of Medicare patients served;

D. The total number of patients served;

E. The demographic characteristics of patients served, including data on age, gender, and ethnicity; and

F. Evaluation of services provided and community need; and

(D) All other J-1 visa waiver requirements remain in effect.

[[8]] (9) A physician must work at the facility for a minimum of three (3) years. If the physician fails to fulfill the terms of the contract with the facility, the facility must notify the department. This information will be forwarded to Immigration and Naturalization Services and other agencies as necessary.

[[9]] (10) A physician who is practicing under a J-1 visa in another state who wishes to practice in a HPSA in Missouri and obtain a J-1 visa waiver may do so only under the following conditions:

(A) The physician must complete the J-1 visa waiver application process in Missouri and obtain a Missouri medical license prior to commencing practice;

(B) The physician should make no plans for the transfer or to move personal possessions until the department has approved the request. The physician retains sole responsibility for notifying the employer of the intent to transfer, and payment of any financial penalty caused by a breach of contract, as determined by the employer; and

(C) All other J-1 visa waiver requirements remain in effect.

[[10]] (11) A physician with a J-1 visa waiver who is practicing in Missouri who wishes to transfer to another HPSA in Missouri may do so under the following conditions:

(A) At least sixty (60) days in advance of the proposed change, the physician must notify the department of the new practice site address, telephone number, site director and the effective date of the proposed change;

(B) The reason for the transfer must be explained in the written notice;

(C) A new J-1 visa waiver employer contract must be submitted to the department prior to approval of the transfer; and

(D) The physician should make no plans for the transfer or moving of personal possessions until the department has issued written approval of the transfer. The physician retains sole responsibility for notifying the employer of the intent to transfer and payment of any financial penalty caused by a breach of contract, as determined by the original employer.

[[11]] (12) The department is not responsible for exceptions to or interpretations of these policies which have occurred without the written approval of the director of the department or his/her designee. Applicants should be aware that hospitals or physician recruiters are not expert in the requirements of each state, and should contact the department with any questions.

[[12]] (13) The department is not responsible for any practice arrangements or contractual obligations entered into by the physician prior to approval of a J-1 visa waiver request.

[[13]] (14) In order to assist and facilitate the placement of primary care practitioners in designated HPSAs in Missouri, the department will provide, upon request, the following information:

(A) List of designated HPSAs in Missouri;

(B) List of hospitals located in HPSAs;

(C) List of community health centers in HPSAs in Missouri; and

(D) Procedure to request a J-1 visa waiver.

AUTHORITY: section 191.411.1, RSMo 1994. This rule was previously filed as 19 CSR 50-4.020. Emergency rule filed April 17, 1995, effective April 27, 1995, expired Aug. 24, 1995. Original rule filed April 17, 1995, effective Oct. 30, 1995. Changed to 19 CSR 10-4.020 July 30, 1998. Emergency amendment filed Sept. 19, 2000 effective Sept. 29, 2000 expires March 27, 2001. Amended: Filed Sept. 19, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than \$500 in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Harold Kirbey, Chief, Health Care Access and Assessment, 912 Wildwood, Jefferson City, MO 65109. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH
Division 10—Office of the Director
Chapter 5—Procedures for the Collection and
Submission of Data to Monitor Health Maintenance
Organizations**

PROPOSED AMENDMENT

19 CSR 10-5.010 Monitoring Health Maintenance Organizations Definitions. The department proposes to amend this rule by amending section (2), subsections (2)(B), (C) and (D); amending sections (4), (5) and (6); replacing Tables A, B and D; and deleting Table C.

PURPOSE: This amendment is to clarify the requirements on submission of annual member satisfaction survey data by modifying section (2), subsections (2)(B), (C) and (D); to eliminate the submission requirements for the enrollee linkage data by deleting section (4) and renumbering sections (5) and (6); to update Table A to reflect consistency with standards of the National Quality Assurance Committee; to update Table B to reflect the data specifications for the quality indicators; to delete Table C to reflect the removal of the requirement to submit enrollee linkage data; and to revise Table D to update and expand health care access information.

(2) Starting in 1998, [commercial] health care plans shall submit annually to the department, member satisfaction survey data—

(B) [The data provided to the department shall be submitted through the survey vendor in electronic form and meet the specifications of Table A. Table A is incorporated herein by reference;] The commercial and Medicaid member satisfaction data shall be submitted to the department in electronic form, through a certified survey vendor, and meet the specifications of Table A. Table A is incorporated herein by reference. An exception to this requirement shall be made for those Medicaid health care plans that are required to participate in a member satisfaction survey conducted by the Division of Medical Services. For these plans, the department will obtain the member satisfaction data from the Division of Medical Services;

(C) In 1998 the data shall be submitted by September 1. In subsequent years a final member-level data file shall be submitted by June 15 or the date required by NCQA if other than June 15; and

(D) [Medicaid and Medicare health care plans shall participate in a member satisfaction survey directed by the Division of Medical Services and the Health Care Financing Administration, respectively. The department will obtain the data from the agencies conducting the surveys.] Medicare health care plans shall participate in a member satisfaction survey conducted by the Health Care Financing Administration. The department will obtain the data from the Health Care Financing Administration.

[(4) Starting in 1998, all commercial health care plans shall submit annually to the department enrollee data for linkage with department data to produce quality indicators—

(A) A final enrollee data file shall be submitted to the department by September 1, 1998, and by April 1 of each year thereafter, on persons enrolled in a health care plan as of December 31 of the previous year;

(B) The enrollee data shall be submitted in electronic form and shall conform to the file record contents and specifications listed in Table C of this rule. Table C is incorporated herein by reference.]

[[5]] (4) In 1998 access to care data shall be submitted by September 1. In subsequent years the data shall be submitted by June 15. Access to care data shall include the data elements and conform to the specifications listed in Table D. Table D is incorporated herein by reference.

[[6]] (5) A health care plan demonstrates continual or substantial failure to comply with the provisions of this rule when the health care plan has been notified by the department that it fails to comply with the provisions of section 192.068, RSMo and this rule and the health care plan—

(A) Fails to provide required data;

(B) Fails to submit data that meet the data standards detailed in this rule; or

(C) Fails to submit data within the time frames established in this rule.

AUTHORITY: section 192.068, RSMo Supp. 1999. Emergency rule filed Jan. 16, 1998, effective Jan. 26, 1998, terminated April 15, 1998. Original rule filed Jan. 16, 1998, effective Aug. 30, 1998. Amended: Filed Oct. 30, 1998, effective May 30, 1999. Amended: Filed Dec. 20, 1999, effective May 30, 2000. Amended: Filed Sept. 15, 2000.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than \$500 in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities \$160,000 annually in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Health, Center for Health Information Management and Epidemiology, Garland Land, Director, P.O. Box 570, Jefferson City, MO 65102, (573) 751-6272. To be considered, comments must be received within thirty days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE ENTITY COST**

I. RULE NUMBER

Title: Department of Health
Division: Office of the Director
Chapter: Procedures for the Collection and Submission of Data to Monitor Health Maintenance Organizations
Type of Rule Making: Proposed Rule Amendment
Rule Number and Name: 19 CSR 10 - 5.010 Monitoring Health Maintenance Organizations

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities.
8	Health Plans and products	\$160,000 annually

III. WORKSHEET

The estimate in the aggregate was calculated as follows. There are eight (8) MC+ plan products that are independently effected by this rule during the reporting year 2001. The cost is estimated at \$20,000 per product. The total annual cost to the health care plans is estimated at a \$160,000.

IV. ASSUMPTIONS

Costs to the MC+ health care plans that are affected by this rule change are estimated at \$20,000 per product per plan per year. The number of affected products is calculated by determining the number of Medicaid health plan products that will be required to conduct independent, member satisfactions surveys for their enrollee populations, in accordance with the technical specifications in the rule. For the remaining plans, no new costs or additional costs are incurred. There are eight (8) products that are independently effected by this rule. For these products the total cost to the health care plans, including external data collection expenses, is estimated at a \$160,000 annually.

Table A**Member Satisfaction Survey Data File Specifications****File Content**

Member satisfaction survey data shall be based on the version of the NCQA-required Consumer Assessment of Health Plans Study (CAHPS) Questionnaire, applicable for the reporting year. The data reported to the Department shall include the adult core set of questions, plus any NCQA-mandated or – recommended items for the adult segment of the questionnaire. The data shall also include any HEDIS measures specified in Table B, for a given product line and reporting year, that are collected via the CAHPS survey tool.

File format and media

The member-level satisfaction survey data shall be submitted electronically, using the data submission tool (DST) specified by the Department. Other file specifications shall conform to those required by NCQA for submission of the CAHPS Questionnaire results by the certified vendors.

File consistency

Plans that elect to submit separate files for sub-groups of their enrollment population must consistently do so for all data submission categories required by this rule.

Table B
Quality Indicator Data Specifications
Reporting Period: CY 2000

Data reported for each of the indicators listed below shall conform to the NCQA HEDIS Data Submission Tool and all other HEDIS technical specifications for indicator descriptions and calculations. An "X" in the table below indicates data are to be reported for this quality indicator if the health care plan offers this product line to Missouri residents.

<u>Indicator*</u>	<u>Applicable to:</u>		
	<u>Commercial</u>	<u>Medicaid</u>	<u>Medicare</u>
Childhood Immunization Status	X	X	
Adolescent Immunization Status	X	X	
Breast Cancer Screening	X		X
Cervical Cancer Screening		X	
Controlling High Blood Pressure	X		X
Cholesterol Management After Acute Cardiovascular Event	X		X
Comprehensive Diabetes Care	X		X
Antidepressant Medication Management	X		X
Advising Smokers to Quit (CAHPS)	X		
Flu Shots for Older Adults (CAHPS)			X
Annual Dental Visit		X	

*The plan may elect to use the prior year's data when the indicator is subject to rotation and is off-cycle for NCQA reporting.

File Content

For each of the quality indicators listed above, except for those collected via the CAHPS questionnaire, the plans shall report the following elements from the NCQA HEDIS Data Submission Tool:

1. Data collection methodology (Administrative or Hybrid.)
2. Eligible member population (i.e., members who meet all denominator criteria.)
3. Minimum required sample size (MRSS) or other sample size
4. Number of original sample records excluded because of valid data errors.
5. Number of records excluded because of contraindications identified through administrative data.
6. Number of records excluded because of contraindications identified through medical record review.
7. Additional records added from the auxiliary list.
8. Denominator
9. Numerator events by administrative data
10. Numerator events by medical record
11. Reported rate
12. Lower 95% confidence interval
13. Upper 95% confidence interval

All data elements above shall conform to the HEDIS technical specifications, as outlined in the NCQA-published technical manuals.

Table B**Quality Indicator Data Specifications**
Reporting Period: CY 2000
(continued)**File format and media**

The quality indicator data shall be submitted electronically, in a data file format to be specified by the Department. All other data specifications shall conform to those required by NCQA for submission of the audited quality indicator data.

File Consistency

Plans that elect to submit separate files for sub-groups of their enrollment population must consistently do so for all data submission categories required by this rule. Health care plans that contract with the Division of Medical Services to provide coverage in more than one Medicaid region, shall submit separate quality indicator data for the enrollees in each region.

Table D

Managed Health Care Services

File Specifications

Responses to the survey items in Table D must be submitted electronically, in a data file format specified by the Department.

Table D must be completed for each managed care product line (Commercial, Medicaid, or Medicare) offered by each licensed health care plan. Responses should be based on activity or status during the reporting period, within each product line (payer). Survey questions in Table D shall apply, except where otherwise noted, only to fully insured (ERISA exempt) enrollments.

Table D
Managed Health Care Services
Reporting Period: CY 2000

I. HEALTH PLAN INFORMATION

Instructions: Submit one set of Table D information, Parts I and II, for each product line (i.e. type of payor) offered by your organization.

1.) Product Line (CHECK ONE): () Commercial () Medicare () Medicaid

2.) Missouri Department of Insurance Licensed Plan Name:

_____ Dba (if applicable): _____

3.) Extended NAIC Identification Number (7-digit): _____

4.) Name as marketed to your members (for Consumer's Guide display purposes):

5.) List the following for each of your products within this product line:

Marketed	-----Phone Numbers-----		
a.) <u>Product Name</u>	b.) <u>HMO/POS</u>	c.) <u>Customer Service</u>	d.) <u>RN Hotline</u>
_____	_____	_____	_____
_____	_____	_____	_____

6.) Through what organization was your managed care organization accredited as of :

a.) *January 1, 2000?*

Accrediting organization: () NCQA () URAC () JCAHO () None

Level of Accreditation: _____

b.) *December 31, 2000?*

Accrediting organization: () NCQA () URAC () JCAHO () None

Level of Accreditation: _____

7.) Managed Care Organization Contact Person for Table D Information:

a.) Name: _____ b.) Title: _____

c.) Phone: _____ d.) Fax: _____ e.) E-mail: _____

Table D
Managed Health Care Services
Reporting Period: CY 2000

II. HEALTH PLAN SERVICES

1.) Please indicate for each of the following high risk conditions/diseases, if your managed care plan (A) has screening mechanisms, (B) provides case management, (C) provides specific educational materials to persons-at-risk, and (D) distributes educational material for all plan enrollees*. (CHECK ALL THAT APPLY)

<u>High Risk Conditions/Diseases</u>	<u>(A) Screening Mechanisms</u>	<u>(B) Case Management</u>	<u>(C) Education for Persons-at-risk</u>	<u>(D) Education for All Plan Enrollees</u>
Asthma	()	()	()	()
Stroke/Cardiovascular Disease	()	()	()	()
Breast Cancer	()	()	()	()
Cervical Cancer	()	()	()	()
Ovarian Cancer	()	()	()	()
Congestive Heart Failure (CHF)	()	()	()	()
Chronic Obstructive Pulmonary Disease (COPD)	()	()	()	()
Diabetes	()	()	()	()
Depression	()	()	()	()
HIV	()	()	()	()
Sickle Cell Disorders	()	()	()	()
High Risk Pregnancy	()	()	()	()
Obesity	()	()	()	()
Lead Poisoning	()	()	()	()
Chlamydia:				
Females	()	()	()	()
Males	()	()	()	()
High Blood Pressure	()	()	()	()
Tobacco Use	()	()	()	()
Other _____	()	()	()	()
(PLEASE SPECIFY)				

*Education strategies for all plan enrollees may include but are not limited to newsletters, periodicals, direct mailings and similar types of media campaigns.

2.) Please indicate if your managed care plan provides any of the following:

- a.) Routine distribution of educational materials
on general health promotion, disease prevention
and wellness () YES () NO
- b.) Distribution of pre- and post-surgical
information to enrollees () YES () NO

Note: The term *reminder/recall* in Questions 3a – 4b refers to notices intended to insure timely scheduling of the specific preventive screening/test or service indicated. General education materials or notices tied to anniversary dates, such as birthdays or enrollment dates, do not meet this definition.

3a.) **Commercial or Medicaid only** (If completing for a Medicare plan, skip to Question 3b)

Do you send reminder/recall letters and/or make telephone calls from your managed care plan office to your members to ensure usage of the following preventive services?

Mammograms	() YES	() NO
Immunizations	() YES	() NO
Pap smears	() YES	() NO
Diabetic Screens/Tests	() YES	() NO

3b.) **Medicare only**

Do you send reminder/recall letters and/or make telephone calls from your managed care plan office to your members to ensure usage of the following preventive services?

Mammograms	() YES	() NO
Immunizations	() YES	() NO
Well-woman checks	() YES	() NO
Diabetic Screens/Tests	() YES	() NO

4a.) **Commercial or Medicaid only** (If completing for a Medicare plan, skip to Question 4b)

Do you provide reminder/recall letters for your providers to use to notify your enrollees of the following preventive services?

Mammograms	() YES	() NO
Immunizations	() YES	() NO
Pap smears	() YES	() NO
Diabetic Screens/Tests	() YES	() NO

4b.) **Medicare only**

Do you provide reminder/recall letters for your providers to use to notify your enrollees of the following preventive services?

Mammograms	() YES	() NO
Immunizations	() YES	() NO
Well-woman checks	() YES	() NO
Diabetic Screens/Tests	() YES	() NO

5.) Commercial only

During the reporting period, did your plan provide coverage to your non-ASO members for the following health benefits? Please indicate if the benefit item was offered as standard coverage for all non-ASO products within the product line (commercial, Medicaid or Medicare), as standard coverage only for some non-ASO products in the product line, offered only by rider clause (employer option), or not covered at all. (CHECK ONLY ONE FOR EACH BENEFIT LISTED)

	Non-ASO Products Only			
	<u>All Products</u>	<u>Some Products</u>	<u>Offered only by rider clause</u>	<u>Not Offered</u>
Rx coverage of prenatal vitamins, including folic acid.....	()	()	()	()
Contraceptives:				
Birth control pills.....	()	()	()	()
IUDs.....	()	()	()	()
Norplant.....	()	()	()	()
Depo Provera.....	()	()	()	()
Immunizations:				
Hepatitis A.....	()	()	()	()
Hepatitis B.....	()	()	()	()
Annual eye exam for refractive errors.....	()	()	()	()
Insulin pumps.....	()	()	()	()
Autologous bone marrow transplants.....	()	()	()	()
Stem cell rescue for breast cancer.....	()	()	()	()
Access to chiropractic services	()	()	()	()
Psychotherapy services				
Individual.....	()	()	()	()
Group.....	()	()	()	()
Family.....	()	()	()	()
Marital.....	()	()	()	()
Substance abuse services:				
Inpatient/residential.....	()	()	()	()
Outpt./partial hospitalization	()	()	()	()
Unrestricted annual flu shots	()	()	()	()
Smoking cessation classes or cessation medications..	()	()	()	()
Conduct wellness surveys*	()	()	()	()

*A wellness survey is a questionnaire on health behaviors. It does not refer to a physical exam.

6.) During the reporting period, did your plan manage the following health services for your ASO group contracts? For each of the health services listed below, please indicate if it was elected as a covered benefit in all the ASO contracts with your plan, in some of the ASO contracts, or in none of the ASO contracts. (CHECK ONE COLUMN ONLY) Also indicate the proportion of your total ASO member enrollment who have coverage for the health service.

	Selected Covered Benefits:			Percent of ASO Enrollment Covered
	All Contracts	ASO Contracts Some Contracts	None of the Contracts	
Immunizations.....	()	()	()	_____
Mammograms	()	()	()	_____
Pap Smears.....	()	()	()	_____

7.) For each preventive service listed below, please indicate (A) if your plan provided physicians routine status reports on the delivery of these services to their panel members and (B) if your plan sent comparative information to the physicians, during the reporting year. Following each response, enter a brief description of the report(s) or information that you sent.

	(CHECK IF YES)	Description of Report(s)	(CHECK IF YES)	Description of Report(s)
	(A) Plan Provided Reports		(B) Plan Sent Comparative Data	
Childhood Immunizations.....	()	_____	()	_____
Adolescent Immunizations.....	()	_____	()	_____
Breast Cancer Screenings.....	()	_____	()	_____
Pap Smears.....	()	_____	()	_____
Chlamydia Screenings:				
Females.....	()	_____	()	_____
Males.....	()	_____	()	_____
Lead Screenings:				
12 and 24 months.....	()	_____	()	_____
Under 6 if no prior blood test.....	()	_____	()	_____
Cholesterol Management after Acute Cardiovascular Event: LDL-C Screenings	()	_____	()	_____
Beta Blocker Treatment After Heart Attack.....	()	_____	()	_____
Comprehensive Diabetic Care:				
Hemoglobin Testing.....	()	_____	()	_____
Retinal Disease Eye Exam.....	()	_____	()	_____
LDL-C (Lipids) Testing	()	_____	()	_____
Nephropathy Screenings.....	()	_____	()	_____
Annual Flu Shots for Older Adults.....	()	_____	()	_____
Tobacco Cessation Counseling.....	()	_____	()	_____
Other (Please specify) _____	()	_____	()	_____

() YES () NO

[illegible]

- 10.) For each of the practitioner categories below, indicate the number you had in your plan network during the reporting year and the number of that total which your MCO verified, within the past two years, as being board certified.

	<u>Number of Practitioners</u>	<u>Number Who Are Board Certified</u>
a.) Primary Care Physicians (excluding OB/GYNs)	_____	_____
b.) Medical/Surgical Specialists (excluding OB/GYNs)	_____	_____
c.) OB/GYNs	_____	_____
d.) Chiropractors	_____	_____
e.) Mental Health Providers	_____	_____
f.) General Dentists	_____	_____

Table D
Managed Health Care Services
Reporting Period: CY 2000

III. HEALTH PLAN SELECTED PROCEDURES

For each procedure category listed below, please indicate the number of discharges/encounters that occurred, within each facility where the procedure was performed for your plan membership. Counts should be summarized at the discharge or encounter level. For example, if more than one of the procedure codes (ICD-9-CM or CPT) in a category was performed during a given hospital stay or encounter, only count them as one.)

(ENTER AS MANY LINES AS NEEDED TO RECORD DATA FOR ALL HOSPITALS UTILIZED DURING THE REPORTING YEAR. USE THE ICD-9-CM AND CPT CODES SPECIFIED IN THE CHART BELOW TO SELECT THE ENCOUNTERS FOR THE PROCEDURE CATEGORIES.)

<u>Procedure Category</u>	<u>Hospital Name</u>	<u>Federal ID #</u>	<u>Number of Discharges/Encounters</u>
1) Cardiac Catheterization			
2) Cardiac Angiography			
3) Coronary Artery By-pass Graft (CABG)			
4) Total Hip Replacement			
5) Prostatectomy			

CODES TO IDENTIFY SELECTED PROCEDURES

<u>Description</u>	<u>CPT Codes</u>	<u>ICD-9CM CODES</u>
Cardiac Catheterization	36013, 93501, 93503, 93505, 93510, 93511, 93514, 93524, 93526-93533, 93561, 93562	37.21, 37.22, 37.23
Cardiac Angiography	75756, 93508, 93542, 93543, 93545, 93555,	88.50, 88.52, 88.53, 88.54, 88.55, 88.56, 88.57
Coronary Artery Bypass Graft	33510, 33511, 33512, 33513, 33514, 33516, 33517, 33518, 33519, 33521, 33522, 33523, 33530, 33533, 33534, 33535, 33536	36.10, 36.11, 36.12, 36.13, 36.14, 36.15, 36.16, 36.17, 36.19
Total Hip Replacement	27130	81.51
Prostatectomy	52601, 52612, 52614, 52620, 52630, 52648, 53850, 53852, 55801, 55810, 55812, 55815, 55821, 55831, 55840, 55842, 55845	60.3, 60.4, 60.5, 60.21, 60.29, 60.61, 60.62, 60.69

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 1—Organization**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board amends a rule as follows:

**4 CSR 196-1.020 Landscape Architectural Council—General
Organization is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1691). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 19—Landscape Architectural Council
Chapter 2—Applications**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board rescinds a rule as follows:

**4 CSR 196-2.010 Filing Deadline for Examination and
Registration is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1691). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 2—Applications**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.609, RSMo Supp. 1999 and 327.615, RSMo 1994, the board amends a rule as follows:

4 CSR 196-2.020 Submitting an Application is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1691-1692). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 5—Examinations**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.607 and 327.617, RSMo 1994 and 327.609, RSMo Supp. 1999, the board amends a rule as follows:

**4 CSR 196-5.010 Uniform National Examinations and Plant
Material Examination—Adoption and Admission is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1692). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 5—Examinations**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board rescinds a rule as follows:

4 CSR 196-5.020 Senior Landscape Architect's Examination is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1692-1693). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 5—Examinations**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board rescinds a rule as follows:

4 CSR 196-5.030 Uniform National Examination—Passing Score is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1693). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 6—Fees**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.609, RSMo Supp. 1999 and 327.625, RSMo 1994, the board amends a rule as follows:

4 CSR 196-6.010 Application, Registration, Renewal, Reinstatement and Miscellaneous Fees is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1693). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 7—Complaints and Correspondence**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.609, RSMo Supp. 1999 and 327.631, RSMo 1994, the board amends a rule as follows:

4 CSR 196-7.010 Handling Public Complaints and Routine Matters is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1694). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 8—Council Seal**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under section 327.609, RSMo Supp. 1999, the board rescinds a rule as follows:

4 CSR 196-8.010 Official Seal of the Council is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1694). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 196—Landscape Architectural Council
Chapter 10—Corporations, Partnerships, Associations,
and Limited Liability Companies**

ORDER OF RULEMAKING

By the authority vested in the Landscape Architectural Council under sections 327.609, RSMo Supp. 1999 and 327.630, RSMo 1994, the board amends a rule as follows:

4 CSR 196-10.010 Application for Registration of Business Associations is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1694-1695). No changes have been made to the text of the proposed amendment, so it is not reprinted here.

This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 200—State Board of Nursing
Chapter 4—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Board of Nursing under sections 335.036 and 335.046, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 200-4.010 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1695–1696). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 205—Missouri Board of Occupational Therapy
Chapter 3—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Occupational Therapy under sections 324.050, 324.056, 324.065, 324.068, 324.077, 324.083 and 324.086, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 205-3.030 Application for Limited Permit is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1697). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 205—Missouri Board of Occupational Therapy
Chapter 3—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Occupational Therapy under sections 324.050, 324.056, 324.065, 324.068, 324.080, 324.083, 324.086 and 620.010.14, RSMo Supp. 1999, the board amends a rule as follows:

4 CSR 205-3.040 License Renewal is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July

3, 2000 (25 MoReg 1697). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 235—State Committee of Psychologists
Chapter 2—Licensure Requirements**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under sections 337.025, 337.033 and 337.050.9, RSMo Supp. 1999, the board amends a rule as follows:

**4 CSR 235-2.005 Education Requirements, Section 337.025,
RSMo is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1697). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.010 General Information is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1562–1563). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.011 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1563-1564). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.020 Definitions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1564-1565). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.021 General Information is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1565-1569). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

**7 CSR 10-8.030 Procedures for Certifying Disadvantaged
Business Enterprises is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1570). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

**7 CSR 10-8.031 Who Is Governed and Bound by the USDOT
and MoDOT DBE Program Regulations is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1570-1573). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150 RSMo 1994, the commission rescinds a rule as follows:

**7 CSR 10-8.040 Procedures for Certification Renewal of
Disadvantaged Business Enterprises is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1574). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.041 Effective Date of the DBE Program Under 49 CFR Part 26 is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1574). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150 RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.050 Challenge Procedures for Disadvantaged Business Enterprises is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1574–1575). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.051 Procedures and Policies for Initially Certifying and Recertifying Disadvantaged Business Enterprise Firms is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1575–1581). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.060 Requirements to Participate in a Mentor-Protege Agreement is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1582). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.061 Missouri Unified Certification Program is **adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1582–1583). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.070 Decertification Procedures for Disadvantaged Business Enterprises is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1584). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.071 DBE Program Reporting and Disclosure Requirements for Currently Certified DBE Firms **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1584–1587). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.080 Determination and Review Procedures Governing the Failure to Perform a Commercially Useful Function **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1588). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.081 Ineligibility Complaints **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1588–1590). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed

rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.090 Finality of Department Determinations in the Disadvantaged Business Enterprise Program **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1591). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.091 MoDOT Procedures and Hearings to Remove a Firm's DBE Eligibility **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1591–1596). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.101 The Effect of a USDOT Certification Appeal **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1597). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.111 Prompt Payment, Record Keeping and Audit Requirements is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1597–1599). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.121 MoDOT DBE Program Annual Goals and Contract Goals is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1600–1602). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.131 DBE Participation Credit Toward Project or Contract Goals is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1603–1605). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.141 USDOT-Assisted DBE Contract Awards and Good Faith Efforts is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1606–1609). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Highways and Transportation Commission received one comment on this proposed rule.

COMMENT: The Associated General Contractors of Missouri, Inc. submitted a letter stating that it objects to the change requiring a prime contractor submit the DBE participation form with the bid submission and that the previous three (3) day grace period had no negative impact on DBE firms. The comment states that this change is unnecessary.

RESPONSE: The commission has considered this comment and has decided to make no changes. The commission, in accord with the spirit and intent of the United States Department of Transportation's DBE rules, has elected to eliminate the post-bid submission of the list of each contractor's proposed DBE subcontractors, to minimize post-bidding contractor bid-shopping negotiations (which work to the financial disadvantage of DBE firms and other small contracting firms).

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.151 Performance of a Commercially Useful Function by a DBE Firm is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1610–1613). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under sections 226.020 and 226.150, RSMo 1994, the commission adopts a rule as follows:

7 CSR 10-8.161 Confidentiality of DBE Program Financial and Other Information **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1614). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.200 Disadvantaged Business Enterprise Set-Aside Program General Information **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1614–1615). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.210 Definitions **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1615). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.220 Eligibility for Participation in the Commission's DBE Set-Aside Program **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1615). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.230 Publication of Qualified DBEs and Joint Ventures in the DBE Directory **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1615–1616). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.240 Retaining Qualification to Participate in the Commission's DBE Set-Aside Program **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1616). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.250 Bidding Limitations on Qualified Firms and Joint Ventures Having Active Commission DBE Set-Aside Contracts **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1616). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.260 DBE Subcontracting Goals for the Commission's DBE Set-Aside Program Contracts **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1616-1617). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation
Commission
Chapter 8—Disadvantaged Business Enterprise
Program**

ORDER OF RULEMAKING

By the authority vested in the Missouri Highways and Transportation Commission under section 226.150, RSMo 1994, the commission rescinds a rule as follows:

7 CSR 10-8.270 Disqualification of a Firm or Joint Venture from the DBE Set-Aside Program **is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1617). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.010 General Organization **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1700). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.020 Definitions **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1700). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.030 Initial Training **is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1700). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.040 Exemptions and Waiver of Initial Training Requirement is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1701). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.050 Requirements for Continuing Education is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1701). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 10—Adjutant General
Chapter 12—911 Training and Standards Act**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 650.340, RSMo Supp. 1999, the director adopts a rule as follows:

11 CSR 10-12.060 Procedures for Certification of Training Providers is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1701–1702). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under sections 313.004 and 313.805, RSMo 1994 and 313.807, RSMo Supp. 1999, the commission adopts a rule as follows:

11 CSR 45-5.075 Payout Percentage for Progressive Table Games is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1631). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.004 Isolated or Occasional Sales is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1702–1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.005 Isolated or Occasional Sales by Businesses is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25

MoReg 1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.006 Isolated or Occasional Sales vs. Doing Business—Examples is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.007 Partial Liquidation of Trade or Business is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.166 Seller of Boats is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1703). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.172 Advertising Signs is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1704). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.248 Sales to the United States Government is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1704). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.260 Nonappropriated Activities of Military Services is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1704). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.262 Government Suppliers and Contractors is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1704). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.274 Farm Machinery and Equipment is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1705). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.278 Agricultural Feed and Feed Additives is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1705). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.282 Sales of Seed, Pesticides and Fertilizers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1705). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.284 Poultry Defined is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1705). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.286 Livestock Defined is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.290 Sellers of Poultry is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.332 United States Government Suppliers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.336 Animals Purchased for Feeding or Breeding Purposes is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.590 Advertising Businesses is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1706–1707). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.834 Titling and Sales Tax Treatment of Boats is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1707). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.850 Veterinary Transactions is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1707). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 3—State Sales Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.270, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-3.866 Bulldozers for Agricultural Use is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1707). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 4—State Use Tax**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 144.705, RSMo 1994, the director rescinds a rule as follows:

12 CSR 10-4.145 Audit, No Credit is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1707–1708). No changes have been made in the proposed

rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 302.181, RSMo Supp. 1999, the director amends a rule as follows:

12 CSR 10-24.100 Driver License Procedures for Persons under the Age of Twenty-One is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1708). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 302.181, RSMo Supp. 1999, the director amends a rule as follows:

12 CSR 10-24.110 Procedures for Issuance of a Nondriver License is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1708-1709). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 302.181, RSMo Supp. 1999 and 302.185, RSMo 1994, the director amends a rule as follows:

12 CSR 10-24.140 Procedures for Reissuance of a Missouri Driver License or Nondriver License Not Received After Mailing by the Department is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1709). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 24—Drivers License Bureau Rules**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under sections 302.171, 302.181 and 302.765, RSMo Supp. 1999, the director rescinds a rule as follows:

12 CSR 10-24.310 Social Security Number as Drivers License Number is **rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1709). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 25—Motor Vehicle Financial Responsibility**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 303.290, RSMo 1994, the director amends a rule as follows:

12 CSR 10-25.030 Hearings Held Pursuant to Section 303.290.1, RSMo is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1710). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.005 Definitions for All On-Line Games is **amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1710-1711). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.010 On-Line Game Contract Provisions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1711). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo 1999, the commission amends a rule as follows:

12 CSR 40-85.030 On-Line Ticket Validation Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1711). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.050 Prize Amounts for On-Line Parimutuel Games is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1712). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.060 Further Limitations on On-Line Prizes is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1712). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.080 Payments of Prizes Up to \$599 Authorized is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1712-1713). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.110 Pick-3 Game is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1713). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.120 Winning Tickets in Pick-3 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1713). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.130 Prize Amounts for Pick-3 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1713). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-85.140 Drawing and Selling Times is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1713-1714). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.150 Breakage is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1714). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 85—On-Line Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.220, RSMo Supp. 1999, the commission rescinds a rule as follows:

12 CSR 40-85.160 Prize Pool for Pick-3 is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1714). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 40—State Lottery
Chapter 95—Pull Tab Game**

ORDER OF RULEMAKING

By the authority vested in the Missouri Lottery Commission under section 313.230, RSMo Supp. 1999, the commission amends a rule as follows:

12 CSR 40-95.010 Pull Tab Game is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1714). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 4—Conditions of Recipient Participation,
Rights and Responsibilities**

ORDER OF RULEMAKING

By the authority vested in the director of the Division of Medical Services under sections 208.152, 208.153, and 208.201, RSMo 1994, the director hereby amends a rule as follows:

13 CSR 70-4.051 Copayment for Pharmacy Services is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2000 (25 MoReg 1641-1642). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 192.006, RSMo Supp. 1999 and 192.020 and 260.203, RSMo 1994, the director amends a rule as follows:

19 CSR 20-20.010 Definitions Relating to Communicable, Environmental and Occupational Diseases is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1726-1727). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 192.006, RSMo Supp. 1999 and 192.020, 192.139, 210.040 and 210.050, RSMo 1994, the director amends a rule as follows:

19 CSR 20-20.020 Reporting Communicable, Environmental and Occupational Diseases is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1727-1737). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 192.006, RSMo Supp. 1999 and 192.020, RSMo 1994, the director adopts a rule as follows:

19 CSR 20-20.080 Duties of Laboratories is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1738-1752). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One comment was received from the Missouri State Medical Association.

COMMENT: The Missouri State Medical Association contends that the requirement for diagnostic laboratories to submit isolates or specimens for specified diseases or conditions to the State Public Health Laboratory is burdensome, costly, and that it creates the impression that these laboratories are not to be trusted with test results.

RESPONSE: The Department has considered this public comment but has decided to proceed with the implementation of the rule as proposed because (1) although the Department trusts these laboratories with test results, the State Public Health Laboratory needs isolates and specimens to perform additional, more specific tests (e.g., biotyping, serotyping, pulsed-field gel electrophoresis, speciation); such "fingerprinting" allows epidemiologists to link cases that are scattered among persons, places, and times, and (2) transportation and testing costs, which comprise about 95% of the total cost of this requirement, will be borne by the State Public Health Laboratory.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 20—Communicable Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Missouri Department of Health under section 199.350, RSMo 1994, the director amends a rule as follows:

19 CSR 20-20.100 Tuberculosis Testing for Residents and Workers in Long-Term Care Facilities and State Correctional Centers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 17, 2000 (25 MoReg 1842-1846). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 26—Sexually Transmitted Diseases**

to HIV testing, unless otherwise permitted by law. A plan to receive test results shall be established with the person.

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 191.653, 191.656 and 192.006, RSMo Supp. 1999 and 192.020, RSMo 1994, the director amends a rule as follows:

19 CSR 20-26.030 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1753–1754). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Department received two letters of comment from the Missouri State Medical Association.

COMMENT: The Missouri State Medical Association contends that in Section (2)(D) the Department is encroaching upon subject matter discussed between physician and patient by requiring that the “client-centered” approach as outlined by the Centers for Disease Control and Prevention be used for pre- and posttest counseling.

RESPONSE: Physicians are specifically excluded from the requirements of 19 CSR 20-26.030 in section (1)(B) of the rule. The Department has considered this comment and has decided to make no change in the rule.

COMMENT: The Missouri State Medical Association contends that in Section (2)(A) the Department is creating a new requirement whereby informed consent shall be obtained from the person prior to HIV testing, and that the Department does not have the statutory authority to promulgate such a requirement.

RESPONSE AND EXPLANATION OF CHANGE: The Department believes that this requirement already exists in most testing situations. However, in order to clarify that testing may be done without consent where authorized by law, section (2)(A) will be amended.

EXPLANATION OF OTHER CHANGES: Form #1 which is incorporated by reference in sections (2)(C) and (D) of this rule has been changed to reflect the amended reporting requirements contained in 19 CSR 20-20.020 and 19 CSR 20-20.080.

19 CSR 20-26.030 Human Immunodeficiency Virus (HIV) Test Consultation and Reporting

(2) Except as provided by 19 CSR 20-26.040, a person performing HIV sampling and pre- and posttest counseling services shall be a health care professional or other public health professional authorized by the Department of Health to provide these services and shall provide current and accurate HIV education and testing information in person to the person tested or his or her legal guardian or custodian. If, after investigation by a department employee, the person responsible for providing pre- and posttest counseling services is determined not to be observing the provisions of this rule, the department shall deny authorization.

(A) Pretest client-centered counseling shall occur before HIV sampling and include a knowledge and risk assessment of the person to be tested to determine the person’s potential for exposure and infection. The person to be tested shall be asked about his/her basic HIV knowledge, and if such knowledge is lacking, advised of the means of HIV transmission and the meaning of the test results. Informed consent shall be obtained from the person prior

PATIENT INFORMATION		PATIENT HISTORY	
1. PATIENT ID NUMBER (FROM LAB SLIP)		15. AFTER 1977, THIS PATIENT HAD: (CHECK ALL THAT APPLY)	
2. PATIENT NAME (LAST, FIRST, MI)		<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Sex With Male <input type="checkbox"/> Sex With Female <input type="checkbox"/> Injected Non-Prescription Drugs <input type="checkbox"/> Received Clotting Factor <input type="checkbox"/> VIII <input type="checkbox"/> IX <input type="checkbox"/> Other: _____ <input type="checkbox"/> Blood Transfusion: First _____ Last _____ / _____ <input type="checkbox"/> Worked In Health Care Setting: Occupation _____ <input type="checkbox"/> Recipient Of Tissue/Organs/Artificial Insemination Date: _____ / _____	
3. ADDRESS (STREET, APT. #, P.O. BOX NO.)		HETEROSEXUAL RELATIONS WITH: <input type="checkbox"/> Injection Drug User <input type="checkbox"/> Bisexual Male <input type="checkbox"/> Person With Hemophilia/Coagulation Disorder <input type="checkbox"/> Transfusion/Transplant Recipient With Documented HIV Infection <input type="checkbox"/> Person With AIDS/HIV Infection Whose Risk Is Not Known	
CITY, STATE, ZIP CODE		16. FOR PEDIATRIC/PERINATAL CASES	
4. COUNTY 5. SS #		<input checked="" type="checkbox"/> <input type="checkbox"/> IF < 13 YEARS OF AGE, MOTHER WITH HIV/AIDS? If Yes, Mother's Name _____ Mother's DOB: _____ / _____ / _____ If Newborn, Date Anti-Retroviral Therapy for HIV Prevention Began: _____ / _____ / _____	
6. DATE OF BIRTH 7. AGE 8. MARITAL STATUS 9. SEX <div style="display: flex; justify-content: space-around;"> S M D W M F </div>		Number of Live-Born Infants Delivered in the Last 18 Months: _____ Provide Birth Information for Most Recent Birth(s): DOB: _____ / _____ / _____ Birth Hospital: _____ Breastfed <input type="checkbox"/> Y <input type="checkbox"/> N DOB: _____ / _____ / _____ Birth Hospital: _____ Breastfed <input type="checkbox"/> Y <input type="checkbox"/> N	
10. RACE 11. Ancestry/Pacific Is. Are Indig./AK Native 12. Hispanic Ethnicity <input type="checkbox"/> White <input type="checkbox"/> Other: _____ <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Black <input type="checkbox"/> Other: _____			
13. VITAL STATUS <input type="checkbox"/> Living <input type="checkbox"/> Deceased - Date of Death: _____ / _____ / _____			
14. COUNTRY OF BIRTH <input type="checkbox"/> U.S. <input type="checkbox"/> Other: _____ <input type="checkbox"/> Unknown			
17. FOR ADULT FEMALES Hepatitis B: HBsAg <input type="checkbox"/> Pos <input type="checkbox"/> Neg <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Patient is Currently Pregnant EDC: _____ / _____ / _____ If Yes, Week of Pregnancy Antiretroviral Therapy Began: _____			
<input type="checkbox"/> ZDV (AZT) <input type="checkbox"/> Other: _____			

18. CURRENT HIV TEST(S)					TEST DATE
HIV Antibody Tests:	Pos	Neg	Incon- clusive	Not Done	MM/DD/YY
HIV-1 EIA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/ /
HIV-1 Western Blot/IHA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/ /
HIV-1/HIV-2 Combination EIA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/ /
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/ /
HIV Antibody Test Specimen Was:					
<input type="checkbox"/> Serum <input type="checkbox"/> Oral Fluid <input type="checkbox"/> Urine <input type="checkbox"/> Other:					
HIV Detection Tests:					TEST DATE
	Pos	Neg	Incon- clusive	Not Done	MM/DD/YY
PCR, DNA or RNA Probe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/ /
Culture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/ /
Antigen Test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/ /
Other:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/ /
HIV VIRAL LOAD TESTING: (Record most recent testing)					TEST DATE
<input type="checkbox"/> Detectable <input type="checkbox"/> Non Detectable					MM/DD/YY
Test Type*					
Copies/ml					
Type 11. NASBA (Organon) 12. RT-PCR (Roche) 13. bDNA (Chiron) 18. Other 19. Unspecified					
19. TESTING LABORATORY NAME(S), ADDRESS(ES), TELEPHONE NUMBER(S):					

20. If HIV TESTS ARE NOT DOCUMENTED, IS HIV DIAGNOSED BY A PHYSICIAN?	
<input checked="" type="checkbox"/> Y	<input type="checkbox"/> N If Yes, Diagnosis Date: _____ / ____ / ____
Provider: _____ City/State: _____	
21. <input checked="" type="checkbox"/> Y <input type="checkbox"/> N Patient is Past or Present HIV Vaccine Trial Participant	
22. PREVIOUS HIV TEST? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N If Yes, Most Recent Result: <input checked="" type="checkbox"/> P <input type="checkbox"/> N <input type="checkbox"/> In	
Type of Test: <input type="checkbox"/> Antibody <input type="checkbox"/> Antigen <input type="checkbox"/> PCR <input type="checkbox"/> Culture	
<input type="checkbox"/> Qualitative PCR <input type="checkbox"/> Quantitative PCR (VL)	
<input type="checkbox"/> Other (specify) _____	Test Date: _____ / ____ / ____
Provider: _____	
City/State: _____	
If Previously Tested, Reason for Retest:	
<input type="checkbox"/> Case Management Eligibility <input type="checkbox"/> Medicaid/Medicare Eligibility	
<input type="checkbox"/> High Risk Negative <input type="checkbox"/> Client Request	
<input type="checkbox"/> Confirm Diagnosis <input type="checkbox"/> Other: _____	

23. CD4+ LYMPHOCYTE COUNT:	TEST DATE
	MO/YR
Most Recent CD4+ Count [] [] [] [] cells/ μ L _____ / ____	
CD4+ Percent [] [] % _____ / ____	
First CD4+ below 200/ μ L or 14% [] [] [] [] cells/ μ L _____ / ____	
(If Known) [] [] % _____ / ____	

SHF^{2,22}SHF 22

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 26—Sexually Transmitted Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 191.653, 191.656 and 192.006, RSMo Supp. 1999 and 192.020, RSMo 1994, the director amends a rule as follows:

19 CSR 20-26.040 Physician Human Immunodeficiency Virus (HIV) Test Consultation and Reporting is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1754-1755). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 26—Sexually Transmitted Diseases**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 191.663, RSMo Supp. 1999, the director amends a rule as follows:

19 CSR 20-26.070 Notification of Results of Court-Ordered Human Immunodeficiency Virus (HIV) Testing of Sexual Offenders is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 3, 2000 (25 MoReg 1755). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 28—Immunization**

ORDER OF RULEMAKING

By the authority vested in the Missouri Department of Health under sections 192.006, RSMo Supp. 1999 and 210.003, RSMo 1994, the director amends a rule as follows:

19 CSR 20-28.040 Day Care Immunization Rule is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 17, 2000 (25 MoReg 1847-1850). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One comment was received from a telephone caller.

COMMENT: The caller expressed concern that the parental and medical exemptions had been deleted since they were not included in the publication of the proposed amendment.

RESPONSE: A staff member explained to the caller that only those sections of the Rule which were being amended needed to be included in the *Missouri Register*. Since there were no changes in subsections (3)(B)1. and (3)(B)2., which address the exemptions available, those subsections were not included in the publication. The caller was satisfied with the explanation. No change to the proposed amendment was necessary.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.015 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.002 Schedules of Controlled Substances is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1233-1239). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.004 List of Excepted Substances is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1240). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.006 List of Exempt Anabolic Steroid Products is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1240-1241). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances
ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.017, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.008 List of Excluded Veterinary Anabolic Steroid Implant Products is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1241-1242). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances
ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.010 Schedules of Controlled Substances is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1242). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances
ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.011 Definitions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1242-1243). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy commented that the terms "agent" or "practitioner's agent" are not defined anywhere in statute or regulation. They asked that it be included in this rule.

RESPONSE: The term "agent" is defined in Section 195.010 RSMo. The Department of Health has considered this comment and has decided to make no change in the rule.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances
ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.013 Miscellaneous Fees is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1243-1247). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances
ORDER OF RULEMAKING**

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.015 Registration Fees and Implementation of Three-Year Cycle is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1248-1250). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.017 Registration Process is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1251-1256). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.019 Registration Location is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1257). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.020 List of Excepted Substances is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1257). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.023 Registration Changes is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1257-1258). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.015 and 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.025 List of Exempt Anabolic Steroid Products is rescinded.

A notice of proposed rulemaking rescission containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1258). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.026 Separate Registrations is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1258-1259). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.027 Investigative and Administrative Procedures is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1259). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

**19 CSR 30-1.030 Requirements for Controlled Substances
Registration is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1259). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.031 Physical Security Requirements is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1259–1260). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.032 Security for Nonpractitioners is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1260–1263). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

**19 CSR 30-1.033 Hearing Procedures on Controlled Substances
Registration is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1264). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.034 Security for Practitioners is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1264–1271). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.035 Requirements for Prescribing, Dispensing and Administering Controlled Substances **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1272). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director rescinds a rule as follows:

19 CSR 30-1.036 Disposing of Unwanted Controlled Substances **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1272). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.041 Records Requirements **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1272–1277). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.042 Inventory Requirements **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1278–1283). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.044 Continuing Records General Requirements **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1284–1287). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.046 Records for Manufacturers, Distributors, Importers and Exporters **is adopted**.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1288–1290). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.048 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1291-1297). Those sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy asked whether the word “practitioner” included pharmacies, and whether it is defined in statute or regulation. They commented that the word “pharmacy” should be added to the title if the word “practitioner” does not include pharmacies, and also that the definition of “practitioner” be added to 19 CSR 30-1.011 if it means something different than “individual practitioner” unless defined elsewhere.

RESPONSE: The term “practitioner” is defined in Section 195.010, RSMo and the definition of “practitioner” already includes a “pharmacy.” The Department of Health has considered this comment and decided to make no change in the rule.

COMMENT: The Missouri Board of Pharmacy asked if “hospice patient” refers to any patient even if at their own home or only if within a registered institution.

RESPONSE: The term “hospice” is defined in 19 CSR 30-1.011. A patient cared for by a hospice may be in any location. The Department of Health has considered this comment and decided to make no change in the proposed rule.

COMMENT: The Missouri Board of Pharmacy asked if a Schedule II faxed prescription still includes injectable analgesics from a home infusion pharmacy as noted in 19 CSR 30-1.062(1)(A).

RESPONSE AND EXPLANATION OF CHANGE: The Department of Health has considered this comment and has decided to make a change in section (7) of the rule. This rule was not intended to prohibit the transmission of a prescription for a Schedule II narcotic substance to be compounded for the direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous or intraspinal infusion by a practitioner or the practitioner’s agent to a pharmacy as permitted in 19 CSR 30-1.062 (1)(A). The words “or for a Schedule II narcotic substance to be compounded for the direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous or intraspinal infusion” have been added to section (7) for clarification.

COMMENT: The Missouri Board of Pharmacy commented that the term “regular basis” in section (10) is ambiguous and too broad, and they should be specified as “weekly” or “monthly.”

RESPONSE AND EXPLANATION OF CHANGE: The term “regular basis” in section (10) is ambiguous. The Department of Health has considered this comment and has decided to make a change in section (10) in the rule to eliminate the words “on a reg-

ular basis” and to insert the words “within 30 days of filling such prescription.”

19 CSR 30-1.048 Records for Practitioners and Researchers

(7) Prescriptions which are transmitted by facsimile to a pharmacy for dispensing shall include the telephone number of the facsimile machine or computer from which it is sent and the date and time of transmission. Immediately after a Schedule III, IV or V prescription or a Schedule II prescription for a long-term care facility patient or hospice patient or for a Schedule II narcotic substance to be compounded for the direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous or intraspinal infusion is transmitted to a pharmacy by facsimile equipment, the practitioner or the practitioner’s agent shall sign and date the face of the prescription. The prescriptions shall be maintained in chronological order separately from patient medical records in a manner so each prescription is readily retrievable for inspection at the transmitting practitioner’s office. In the event the facsimile is transmitted from a long-term care facility or hospital, the prescription shall be maintained at the long-term care facility or hospital in chronological order separately from the patient medical records in a manner so each prescription is readily retrievable, or maintained in the patient medical records.

(10) Each pharmacist who dispenses controlled substances under a prescription transmitted by electronic computer transmission, shall verify with the practitioner within 30 days of the filling such prescription that the prescription was authorized by the practitioner. If verification is made by telephone, the pharmacist shall document the verification on the reverse of the prescription or in the computer. If verification is made by sending the practitioner a copy of a computer printout, the practitioner shall verify, sign and return the printout to the pharmacy. The pharmacy shall maintain the verified printout in a separate file.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.050 Records for Chemical Analysts is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1298-1300). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.052 Records for Long-Term Care Facilities (LTCF) is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1301-1303). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy commented that the original rule included DEA 222 order forms as inappropriate to supply Schedule II drugs from a pharmacy to a long term care facility emergency kit, and that reference is absent from this proposed rule.

RESPONSE: The language from the original rule which prohibited the use of federal DEA Official Order Forms to record transfers of controlled drugs to the emergency kits of long term care facilities, is included in section (2) of this rule. The Department of Health has considered this comment and has decided to make no change in the rule.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.195, RSMo 1994 and 195.030, RSMo Supp. 1999, the director adopts a rule as follows:

19 CSR 30-1.060 Determining Lawful Prescribing, Dispensing and Administering of Controlled Substances is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1304). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.062 Transmission of Prescriptions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1304). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy asked if “hospice patient” in section (1)(C), refers to any patient if at their own home or only if within a registered institution.

RESPONSE: The term “hospice patient” is defined in 19 CSR 30-1.011. A patient cared for by a hospice may be in any location. The Department of Health has considered this comment and has decided to make no change in the rule.

COMMENT: The Missouri Board of Pharmacy commented that the phrase “. . . reduced to writing by a pharmacist . . .” should be changed to “. . . reduced to writing by the pharmacy . . .” to allow technicians to perform this function.

RESPONSE: The Department of Health believes this language would allow a technician to perform this function. The Department has considered this comment and has decided to make no change in the rule.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.064 Partial Filling of Schedule II Prescriptions is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1304-1307). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy suggested that the words “or agent” should be added after the word “pharmacist” to the phrase, “. . . the pharmacist must contact the practitioner prior to partially filling the prescription.” in section (2).

RESPONSE: The Department of Health believes that this language would allow an agent of the pharmacist to perform this function. The Department of Health has considered this comment and has decided to make no change in the rule.

Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.066 Dispensing by Individual Practitioners is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1308-1312). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

**19 CSR 30-1.068 Administering in Emergency Rooms
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1313-1315). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

**19 CSR 30-1.070 Emergency Dispensing of Schedule II
Substances is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1316-1320). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.072 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1321). Those sections with changes are reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The department received one letter of comment on this proposed rule.

COMMENT: The Missouri Board of Pharmacy commented that the phrase “. . . reduced to writing by a pharmacist . . .”, in section (3), should be changed to “. . . reduced to writing by the pharmacy . . .” to allow technicians to perform this function.

RESPONSE: The Department of Health believes that this language would allow a technician to perform this function. The Department of Health has considered this comment and has decided to make no change in the rule.

COMMENT: The Missouri Board of Pharmacy commented that they did not understand why there is a special rule for Schedule V prescriptions, and does not understand what section (3) means.

RESPONSE: Under section 195.060.1, RSMo Supp. 1999, Schedule V controlled substances may be sold without a prescription subject to department regulations. This rule restricts institutional practitioners from administering or dispensing without a signed, written prescription, oral prescription or order from an individual practitioner. The rule clarifies that individual practitioners may administer and dispense without a prescription. The rule clarifies that while pharmacists may dispense Schedule V controlled substances without a prescription; if they do dispense pursuant to a prescription, they must label it and treat the prescription as they would any other controlled substance prescription. The department has considered this comment and has decided to make no change in the rule.

COMMENT: The Missouri Board of Pharmacy commented that as written, the rule seems to imply that an original prescription must have refills, if any, on the prescription, and if there are none, that the pharmacist cannot telephone the prescriber for additional refills.

RESPONSE AND EXPLANATION OF CHANGE: The Department of Health has considered this comment and agrees that the rule as written might be interpreted in this manner. The Department did not intend to prohibit a pharmacist from telephoning a prescriber for additional refills on a Schedule V prescription. The Department has decided to change section (1) by deleting the phrase “on the prescription” from the first sentence.

19 CSR 30-1.072 Dispensing of Schedule V Substances

(1) A pharmacist may dispense directly a controlled substance listed in Schedule V pursuant to a prescription. A prescription for a controlled substance listed in Schedule V may be refilled only as expressly authorized by the prescribing individual practitioner. If this authorization is not given, the prescription may not be refilled. A pharmacist dispensing those substances pursuant to a prescription shall label the substance and file the prescription.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.074 Dispensing Without a Prescription is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1321). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under section 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.076 Emergency Distribution by a Pharmacy is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1321-1324). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH
Division 30—Division of Health Standards and
Licensure
Chapter 1—Controlled Substances**

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Health under sections 195.050 and 195.195, RSMo 1994, the director adopts a rule as follows:

19 CSR 30-1.078 Disposing of Unwanted Controlled Substances is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on May 15, 2000 (25 MoReg 1325-1329). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

As defined in section 536.026, RSMo Supp. 1999 “an agency may solicit comments from the public on the subject matter of a rule that the agency is considering proposing. The agency may file a notice of the rule under consideration as a proposed rulemaking with the secretary of state for publication in the *Missouri Register* as soon as practicable after the filing thereof in the secretary’s office. The notice may contain the number and the subject matter of the rule as well as a statement indicating where, when, and how persons may comment.”

This section complies with this statutory requirement to publish rules being considered for proposal by an agency. These rules carry none of the weight of a proposed rule or amendment. Publishing a rule under consideration places no obligation on the agency to promulgate an actual rule in the future. Rules under consideration are reproduced in the format provided by the agency and are not subject to the secretary of state’s formatting requirements.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 25—Hazardous Waste Management Commission

MISSOURI DRY-CLEANING ENVIRONMENTAL RESPONSE TRUST FUND SECTIONS 260.900 TO 260.960 RSMo 2000

The 2000 Missouri General Assembly passed a law establishing a Dry-cleaning Environmental Response Trust Fund in Missouri. The law potentially affects all dry-cleaning facilities in Missouri, including both “active” and “abandoned” dry-cleaning facilities. The law defines “Dry-cleaning facility” as a commercial establishment that cleans garments or other fabrics on-site utilizing a process that involves any use of dry-cleaning solvents. “Active” facilities include any property on which a dry-cleaning facility currently operates, while “Abandoned” facilities include any property on which a dry-cleaning facility formerly operated. Active facilities must register with the Department of Natural Resources and pay an annual registration surcharge. Beginning July 1, 2002, eligible owners or operators of active or abandoned dry-cleaning facilities may apply to the Fund for payment of costs related to remediation of contamination due to the operation of a dry-cleaning facility. The law excludes prisons, governmental entities, hotels, motels, or industrial laundries from participation in the Fund. Revenues to the Fund will be provided by active Missouri dry cleaners, as well as those who supply dry-cleaning solvent to active Missouri dry cleaners, through payment of the applicable environmental surcharges, which became effective on August 28, 2000. Revenues from the surcharges will be deposited in the Dry-cleaning Environmental Response Trust Fund and expended for costs related to remediation of contaminated dry-cleaner sites beginning on July 1, 2002.

The applicable environmental surcharges consist of an annual registration surcharge for active dry-cleaning facilities and a solvent surcharge assessed on suppliers of dry-cleaning solvent to Missouri dry cleaners. Active dry-cleaning facilities pay an annual registration surcharge of \$500, \$1,000, or \$1,500, based on the amount of chlorinated or non-chlorinated dry-cleaning solvents used per year. Active Missouri dry cleaners that use no more than 140 gallons of chlorinated solvents or no more than 1,400 gallons of petroleum, non-chlorinated solvents per year pay \$500 annually. Active Missouri dry cleaners that use more than 140 gallons of chlorinated solvents per year, but less than 360 gallons, and those dry cleaners who use more than 1,400 gallons of petroleum solvents, but less than 3,600 gallons per year, pay \$1,000 annually. Active Missouri dry cleaners that use at least 360 gallons of chlorinated solvents or 3,600 gallons of non-chlorinated solvents per year pay \$1,500 annually. Also effective August 28, 2000, a surcharge is assessed on suppliers who provide dry-cleaning solvents to dry-cleaning facilities in Missouri. This surcharge will be reported and paid by the dry-cleaning solvent suppliers on a quarterly basis in an amount equal to \$8 a gallon for Perchloroethylene, Trichloroethylene, and other chlorinated dry-cleaning solvents, and \$0.40 a gallon for any non-chlorinated dry-cleaning solvent. The first quarter for which the solvent surcharge will be assessed is October–December 2000. Suppliers of dry cleaning solvents to Missouri dry cleaners will be contacted by the department in order to collect the surcharge due for this quarter. It is expected that the surcharge will be due to the department by January or February 2001.

Missouri dry cleaners will register with the department and pay the applicable registration surcharge at the same time they submit their Emissions Inventory Questionnaire (EIQ) forms to the department’s Air Pollution Control Program. Dry cleaners will be asked to keep the material for the two programs separate, including payments (the surcharge check will be made out to Missouri Department of Natural Resources—Hazardous Waste Program and the air emission fees check will be made out to Missouri Air Pollution Control Program). These forms will be mailed to all dry cleaners that have previously submitted EIQ forms, or that are otherwise known to the department, beginning about January 1, 2001 and are due to the department by April 1, 2001. Dry-cleaning facilities that are not required to submit an EIQ, or that have not previously submitted an EIQ, must still register with the department and pay the applicable registration surcharge, in addition to submitting the EIQ forms, if required. Although the amount of the registration surcharge will be based on solvent usage for the calendar year 2000 as reported on the EIQ forms, the registration surcharge will apply to the calendar year 2001. Additional instructions on the registration surcharge will be provided with the EIQ mailing to dry cleaners in January 2001.

The Department of Natural Resources is currently beginning the process of developing the necessary rules to implement the law. The rules will describe in detail the registration process, application procedures, and eligibility requirements for participation in the fund. Department staff will work with representatives of the Missouri dry-cleaning industry in drafting those rules.

NOTICE TO SUBMIT COMMENTS: *Anyone may submit written comments concerning the implementation of the program described above. The comments shall be submitted to the Director of the Missouri Hazardous Waste Program, P.O. Box 176, Jefferson City, MO 65102. In order to be considered, written comments must be submitted within thirty days after the date of publication of this notice in the Missouri Register. Faxed or E-mail correspondence will not be considered. Comments must be postmarked by midnight of the last day of the comment period. Comments may be hand delivered to the receptionist desk at the Missouri Department of Natural Resources Conference Center, 1738 E. Elm Street, Jefferson City, Missouri until 5:00 p.m. on the last day of the comment period.*

In preparing comments, please reference this Rule Under Consideration notice. You may share your questions or concerns for consideration by the Missouri Department of Natural Resources and the Missouri Hazardous Waste Management Commission in the establishment and implementation of the Missouri Dry-cleaning Environmental Response Trust Fund.

If you have specific questions concerning the implementation of the Fund, please contact the Missouri Hazardous Waste Program at (573) 751-3176.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
915 G Leslie Boulevard
Jefferson City, MO 65101

For additional information contact Donna Schuessler, 573-751-6403.

**Title 19—DEPARTMENT OF HEALTH
Division 60—Missouri Health Facilities
Review Committee
Chapter 50—Certificate of Need Program**

APPLICATION REVIEW SCHEDULE

DATE FILED:
APPLICATION PROJECT NO. &
NAME/COST & DESCRIPTION/
CITY & COUNTY

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. Decisions are tentatively scheduled for the November 20, 2000 Certificate of Need meeting. These applications are available for public inspection at the address shown below.

09/06/00

#2982 HS: St. Louis University Hospital
\$2,173,277, Establish magnetoencephalography
service
St. Louis (St. Louis City)

#3012 FS: Dialysis Clinic, Inc.
\$3,996,702, Replace and expand
outpatient dialysis facility
Kansas City (Jackson County)

09/08/00

#3020 HS: Cox Medical Center South
\$2,944,854, Reconfigure medical
surgical unit
Springfield (Greene County)

#3035 HS: St. John's Regional Medical Center
\$4,000,000, Relocate and expand
obstetrical services
Joplin (Jasper County)

#3037 HS: Phelps Co. Regional Medical Center
\$15,870,943, Expand and renovate facility
Rolla (Phelps County)

#3021 HS: Moberly Regional Medical Center
\$1,874,389, Renovate and expand ICU/CCU
Moberly (Randolph County)

09/11/00

#3036 HS: St. Luke's Hospital
\$16,854,672, Establish outpatient
services building
Chesterfield (St. Louis County)

Any person wishing to request a public hearing for the purpose of commenting on any of these applications must submit a written request to this effect, which must be received at the address listed below by October 10, 2000. All written requests and comments should be sent to:

**OFFICE OF ADMINISTRATION
Division of Purchasing**

BID OPENINGS

Sealed Bids in one (1) copy will be received by the Division of Purchasing, Room 580, Truman Building, P.O. Box 809, Jefferson City, MO 65102, telephone (573) 751-2387 at 2:00 p.m. on dates specified below for various agencies throughout Missouri. Bids are available to download via our homepage: <http://www.state.mo.us/oa/purch/purch.htm>. Prospective bidders may receive specifications upon request.

B1E01099 Buses: School 10/16/00;
B1E01119 Dairy Products: Cheese 10/16/00;
B3E01070 Trash Collection Services 10/16/00;
B1E01108 Dental Instruments 10/17/00;
B1E01114 Tractors 10/18/00;
B2Z01011 Information Technology Consulting Services 10/18/00;
B3E01049 Elevator Maintenance Services 10/18/00;
B3Z00195 Pharmacy Services 10/18/00;
B3Z00246 ABA Intensive Discrete Trial Training 10/18/00;
B2E01012 IBM Hardware/Software Maintenance 10/19/00;
B3E01063 Brass Refinishing Services 10/19/00;
B1Z01106 Web-Based Energy Use and Demand Information Service 10/20/00;
B3E01068 Anesthesiology Services 10/20/00;
B3Z01078 Nursing Services 10/20/00;
B3Z00239 Dental Well Being Committee 10/23/00;
B3E01027 Laundry Services 10/24/00;
B3E01082 Janitorial Services 10/24/00;
B3Z01042 Marketing Services-Economic Development 10/26/00;
B1E01132 Windshield: Auto Replacement and Repair 10/30/00;
B3Z00217 Medical Laboratory Services 10/31/00;
B2Z01008 Data Capture and Document Management System 11/2/00;
B3Z01051 Medicaid Managed Care-Central Region 11/2/00;
B3Z01075 Charter School Performance Study 11/16/00.

It is the intent of the State of Missouri, Division of Purchasing to purchase the following as a single feasible source without competitive bids. If suppliers exist other than the one identified, contact (573) 751-2387 immediately.

- 1.) Overnight Leisure Visitor and Competitor Profile Report, supplied by D. K. Shifflet & Associates, Ltd.
- 2.) Advertising on bus boards and ceiling cards-St. Louis & KC, supplied by OBIE MEDIA.

Legal Consulting/Expert Testimony, supplied by Missouri On-Call Damage Prevention (MOCS).

Joyce Murphy, CPPO,
Director of Purchasing

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—23 (1998), 24 (1999) and 25 (2000). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable and RUC indicates a rule under consideration.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				23 MoReg 2473
				24 MoReg 2535
				25 MoReg 2478
1 CSR 10-17.040	Office of Administration		25 MoReg 1062 25 MoReg 2244	
	(Changed from 1 CSR 40-1.080)				
1 CSR 10-17.050	Office of Administration		25 MoReg 1062 25 MoReg 2244	
	(Changed from 1 CSR 40-1.070)				
1 CSR 20-5.010	Personnel Advisory Board		25 MoReg 1195 25 MoReg 2318	
1 CSR 20-5.020	Personnel Advisory Board		25 MoReg 1196 25 MoReg 2318	
1 CSR 40-1.010	Purchasing and Materials Management		25 MoReg 1059 25 MoReg 2244	
1 CSR 40-1.030	Purchasing and Materials Management		25 MoReg 1059 25 MoReg 2244	
1 CSR 40-1.050	Purchasing and Materials Management		25 MoReg 1060 25 MoReg 2245	
1 CSR 40-1.060	Purchasing and Materials Management		25 MoReg 1061 25 MoReg 2245	
1 CSR 40-1.070	Purchasing and Materials Management		25 MoReg 1062 25 MoReg 2244	
	(Changed to 1 CSR 10-17.050)				
1 CSR 40-1.080	Purchasing and Materials Management		25 MoReg 1062 25 MoReg 2244	
	(Changed to 1 CSR 10-17.040)				
DEPARTMENT OF AGRICULTURE					
2 CSR 10-5.005	Market Development				24 MoReg 2269
2 CSR 30-10.010	Animal Health			This Issue	
2 CSR 70-13.030	Plant Industries			25 MoReg 2370	
2 CSR 110-1.010	Office of the Director			25 MoReg 1829	
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.115	Conservation Commission		25 MoReg 2200		
3 CSR 10-5.205	Conservation Commission		25 MoReg 2048		
3 CSR 10-5.430	Conservation Commission		25 MoReg 1688 25 MoReg 2319	
3 CSR 10-5.575	Conservation Commission		25 MoReg 2203		
3 CSR 10-5.576	Conservation Commission		25 MoReg 2203		
3 CSR 10-5.577	Conservation Commission		25 MoReg 2205		
3 CSR 10-5.578	Conservation Commission		25 MoReg 2207		
3 CSR 10-5.579	Conservation Commission		25 MoReg 2209		
3 CSR 10-5.580	Conservation Commission		25 MoReg 2211		
3 CSR 10-6.550	Conservation Commission		25 MoReg 1691 25 MoReg 2319	
3 CSR 10-7.435	Conservation Commission		25 MoReg 2213		
3 CSR 10-7.440	Conservation Commission		N.A. 25 MoReg 2460	
3 CSR 10-7.455	Conservation Commission		25 MoReg 2214		
3 CSR 10-9.442	Conservation Commission		N.A. 25 MoReg 2461	
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 10-2.085	Missouri State Board of Accountancy		25 MoReg 2373R		
4 CSR 10-2.090	Missouri State Board of Accountancy		25 MoReg 2373R		
4 CSR 10-2.095	Missouri State Board of Accountancy		25 MoReg 2373		
4 CSR 15-1.010	Acupuncturist Advisory Committee		25 MoReg 2374		
4 CSR 15-1.020	Acupuncturist Advisory Committee		25 MoReg 2375		
4 CSR 15-1.030	Acupuncturist Advisory Committee		25 MoReg 2375		
4 CSR 15-1.040	Acupuncturist Advisory Committee		25 MoReg 2379		
4 CSR 15-2.010	Acupuncturist Advisory Committee		25 MoReg 2379		
4 CSR 15-2.020	Acupuncturist Advisory Committee		25 MoReg 2384		
4 CSR 15-2.030	Acupuncturist Advisory Committee		25 MoReg 2388		
4 CSR 15-2.040	Acupuncturist Advisory Committee		25 MoReg 2392		
4 CSR 15-3.010	Acupuncturist Advisory Committee		25 MoReg 2392		
4 CSR 15-3.020	Acupuncturist Advisory Committee		25 MoReg 2395		
4 CSR 15-3.030	Acupuncturist Advisory Committee		25 MoReg 2395		
4 CSR 15-4.010	Acupuncturist Advisory Committee		25 MoReg 2396		
4 CSR 15-4.020	Acupuncturist Advisory Committee		25 MoReg 2397		
4 CSR 15-5.010	Acupuncturist Advisory Committee		25 MoReg 2397		
4 CSR 15-5.020	Acupuncturist Advisory Committee		25 MoReg 2401		
4 CSR 40-1.021	Office of Athletics		21 MoReg 2680		
4 CSR 40-5.070	Office of Athletics		21 MoReg 1963		
4 CSR 65-1.020	Endowed Care Cemeteries		25 MoReg 1197 25 MoReg 2245	
4 CSR 65-1.030	Endowed Care Cemeteries		25 MoReg 1197 25 MoReg 2245	
4 CSR 65-1.040	Endowed Care Cemeteries		25 MoReg 1197 25 MoReg 2245	
4 CSR 65-1.050	Endowed Care Cemeteries		25 MoReg 1202 25 MoReg 2246	
4 CSR 65-1.060	Endowed Care Cemeteries		25 MoReg 1205 25 MoReg 2246	
4 CSR 65-2.020	Endowed Care Cemeteries		25 MoReg 1205 25 MoReg 2246	
4 CSR 65-2.030	Endowed Care Cemeteries		25 MoReg 1208 25 MoReg 2246	
4 CSR 65-2.040	Endowed Care Cemeteries		25 MoReg 1212 25 MoReg 2246	
4 CSR 70-2.031	State Board of Chiropractic Examiners		25 MoReg 1215 25 MoReg 2319	
4 CSR 70-2.050	State Board of Chiropractic Examiners		25 MoReg 925 25 MoReg 2319	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 70-2.080	State Board of Chiropractic Examiners	25	MoReg 121525	MoReg 2319
4 CSR 70-2.090	State Board of Chiropractic Examiners	25	MoReg 121625	MoReg 2319
4 CSR 70-2.100	State Board of Chiropractic Examiners	25	MoReg 92525	MoReg 2320
4 CSR 90-4.010	State Board of Cosmetology	25	MoReg 2048		
4 CSR 100	Division of Credit Unions				25 MoReg 1650
				25 MoReg 1796
				25 MoReg 1924
				25 MoReg 2012
				25 MoReg 2013
				25 MoReg 2253
				25 MoReg 2335
				25 MoReg 2477
4 CSR 110-2.090	Missouri Dental Board	25	MoReg 121625	MoReg 2320
4 CSR 120-2.100	Board of Embalmers and Funeral Directors	25	MoReg 2404		
4 CSR 145-2.055	Missouri Board of Geologist Registration	25	MoReg 2049		
4 CSR 145-2.060	Missouri Board of Geologist Registration	25	MoReg 2053		
4 CSR 145-2.070	Missouri Board of Geologist Registration	25	MoReg 2053		
4 CSR 150-2.001	State Board of Registration for the Healing Arts	25	MoReg 2053		
4 CSR 150-2.005	State Board of Registration for the Healing Arts	25	MoReg 2053		
4 CSR 150-2.065	State Board of Registration for the Healing Arts	25	MoReg 2054		
4 CSR 150-2.080	State Board of Registration for the Healing Arts	25	MoReg 2054		
4 CSR 150-2.100	State Board of Registration for the Healing Arts	25	MoReg 2055		
4 CSR 150-3.010	State Board of Registration for the Healing Arts	25	MoReg 2406		
4 CSR 150-3.060	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-3.080	State Board of Registration for the Healing Arts	25	MoReg 121725	MoReg 2247
		This Issue		
4 CSR 150-3.170	State Board of Registration for the Healing Arts	25	MoReg 121725	MoReg 2247
		This Issue		
4 CSR 150-3.203	State Board of Registration for the Healing Arts	25	MoReg 2055		
		25 MoReg 2406		
4 CSR 150-4.051	State Board of Registration for the Healing Arts	25	MoReg 2056		
4 CSR 150-4.055	State Board of Registration for the Healing Arts	25	MoReg 2056		
4 CSR 150-4.056	State Board of Registration for the Healing Arts	25	MoReg 2406		
4 CSR 150-4.060	State Board of Registration for the Healing Arts	25	MoReg 2057		
4 CSR 150-4.105	State Board of Registration for the Healing Arts	25	MoReg 2057		
4 CSR 150-4.110	State Board of Registration for the Healing Arts	25	MoReg 2058R		
		25 MoReg 2058		
4 CSR 150-4.115	State Board of Registration for the Healing Arts	25	MoReg 2059R		
		25 MoReg 2059		
4 CSR 150-4.120	State Board of Registration for the Healing Arts	25	MoReg 2060R		
		25 MoReg 2060		
4 CSR 150-4.125	State Board of Registration for the Healing Arts	25	MoReg 2065		
4 CSR 150-4.130	State Board of Registration for the Healing Arts	25	MoReg 2065		
4 CSR 150-4.200	State Board of Registration for the Healing Arts	25	MoReg 2214		
4 CSR 150-4.201	State Board of Registration for the Healing Arts	25	MoReg 2215		
4 CSR 150-4.203	State Board of Registration for the Healing Arts	25	MoReg 2215		
4 CSR 150-4.205	State Board of Registration for the Healing Arts	25	MoReg 2216		
4 CSR 150-4.210	State Board of Registration for the Healing Arts	25	MoReg 2221		
4 CSR 150-4.215	State Board of Registration for the Healing Arts	25	MoReg 2221		
4 CSR 150-6.020	State Board of Registration for the Healing Arts	25	MoReg 2065		
4 CSR 150-6.025	State Board of Registration for the Healing Arts	25	MoReg 2066		
4 CSR 150-6.030	State Board of Registration for the Healing Arts	25	MoReg 2071		
4 CSR 150-6.060	State Board of Registration for the Healing Arts	25	MoReg 2071		
4 CSR 150-6.070	State Board of Registration for the Healing Arts	25	MoReg 2076		
4 CSR 150-7.100	State Board of Registration for the Healing Arts	25	MoReg 2076		
4 CSR 150-7.120	State Board of Registration for the Healing Arts	25	MoReg 2076		
4 CSR 150-7.122	State Board of Registration for the Healing Arts	25	MoReg 2077		
4 CSR 150-7.125	State Board of Registration for the Healing Arts	25	MoReg 2077		
4 CSR 150-7.140	State Board of Registration for the Healing Arts	25	MoReg 2078		
4 CSR 150-7.200	State Board of Registration for the Healing Arts	25	MoReg 2080		
4 CSR 150-7.300	State Board of Registration for the Healing Arts	25	MoReg 2080		
4 CSR 150-7.310	State Board of Registration for the Healing Arts	25	MoReg 2086		
4 CSR 195-5.010	Workforce Development	24	MoReg 2314		
		25 MoReg 96225	MoReg 2247
4 CSR 195-5.020	Workforce Development	24	MoReg 2315		
		25 MoReg 96225	MoReg 2247
4 CSR 195-5.030	Workforce Development	24	MoReg 2318		
		25 MoReg 96625	MoReg 2247
4 CSR 196-1.020	Landscape Architectural Council	25	MoReg 1691	This Issue
4 CSR 196-2.010	Landscape Architectural Council	25	MoReg 1691	This Issue
4 CSR 196-2.020	Landscape Architectural Council	25	MoReg 1691	This Issue
4 CSR 196-5.010	Landscape Architectural Council	25	MoReg 1692	This Issue
4 CSR 196-5.020	Landscape Architectural Council	25	MoReg 1692R	This IssueR
4 CSR 196-5.030	Landscape Architectural Council	25	MoReg 1693R	This IssueR
4 CSR 196-6.010	Landscape Architectural Council	25	MoReg 1693	This Issue
4 CSR 196-7.010	Landscape Architectural Council	25	MoReg 1694	This Issue
4 CSR 196-8.010	Landscape Architectural Council	25	MoReg 1694R	This IssueR
4 CSR 196-10.010	Landscape Architectural Council	25	MoReg 1694	This Issue
4 CSR 200-4.010	State Board of Nursing	25	MoReg 1695	This Issue
4 CSR 200-4.020	State Board of Nursing	25	MoReg 156125	MoReg 2462
4 CSR 200-4.040	State Board of Nursing	25	MoReg 2090		
4 CSR 205-3.030	Missouri Board of Occupational Therapy	25	MoReg 1697	This Issue
4 CSR 205-3.040	Missouri Board of Occupational Therapy	25	MoReg 1697	This Issue

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4 CSR 205-4.030	Missouri Board of Occupational Therapy	25	MoReg 2407		
4 CSR 210-2.060	State Board of Optometry	22	MoReg 1443		
4 CSR 220-2.085	State Board of Pharmacy	25	MoReg 2225		
4 CSR 220 2.120	State Board of Pharmacy	25	MoReg 2225		
4 CSR 220 2.130	State Board of Pharmacy	25	MoReg 2225		
4 CSR 220 2.140	State Board of Pharmacy	25	MoReg 2226		
4 CSR 235-2.005	State Committee of Psychologists	25	MoReg 1697	This Issue
4 CSR 240-2.125	Public Service Commission	25	MoReg 1415		
4 CSR 240-32.110	Public Service Commission	25	MoReg 1957R		
	25	MoReg 1957		
4 CSR 240-120.130	Public Service Commission		This Issue		
4 CSR 240-120.135	Public Service Commission		This Issue		
4 CSR 240-121.180	Public Service Commission		This Issue		
4 CSR 240-121.185	Public Service Commission		This Issue		
4 CSR 240-123.075	Public Service Commission		This Issue		
4 CSR 255-4.010	Missouri Board for Respiratory Care	25	MoReg 1829		
4 CSR 270-2.031	Missouri Veterinary Medical Board	25	MoReg 2227		
4 CSR 270-2.041	Missouri Veterinary Medical Board	25	MoReg 2229		
4 CSR 270-2.060	Missouri Veterinary Medical Board	25	MoReg 2231		

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5 CSR 30-4.020	Division of School Services	25	MoReg 2090R		
5 CSR 30-261.045	Division of School Services	25	MoReg 1063R	25 MoReg 2320R
	25	MoReg 1063	25 MoReg 2320
5 CSR 50-270.010	Division of Instruction	25	MoReg 2231		
5 CSR 60-120.070	Vocational and Adult Education	25	MoReg 2090		
5 CSR 60-480.100	Vocational and Adult Education	25	MoReg 2091		
5 CSR 60-900.050	Vocational and Adult Education	25	MoReg 2093		
5 CSR 70-742.170	Special Education	25	MoReg 2234		
5 CSR 80-800.010	Urban and Teacher Education	25	MoReg 1416R	25 MoReg 2462R
5 CSR 80-800.200	Urban and Teacher Education	25	MoReg 1416	25 MoReg 2462
5 CSR 80-800.210	Urban and Teacher Education	25	MoReg 1420R	25 MoReg 2463R
5 CSR 80-800.220	Urban and Teacher Education	25	MoReg 1420	25 MoReg 2463
5 CSR 80-800.230	Urban and Teacher Education	25	MoReg 1425	25 MoReg 2464
5 CSR 80-800.260	Urban and Teacher Education	25	MoReg 1431	25 MoReg 2467
5 CSR 80-800.270	Urban and Teacher Education	25	MoReg 1435	25 MoReg 2467
5 CSR 80-800.280	Urban and Teacher Education	25	MoReg 1438	25 MoReg 2468
5 CSR 80-800.350	Urban and Teacher Education	25	MoReg 1442	25 MoReg 2468
5 CSR 80-800.360	Urban and Teacher Education	25	MoReg 1445	25 MoReg 2469
5 CSR 80-800.370	Urban and Teacher Education	25	MoReg 1450	25 MoReg 2469
5 CSR 80-800.380	Urban and Teacher Education	25	MoReg 1453	25 MoReg 2469
5 CSR 80-805.015	Urban and Teacher Education	25	MoReg 2234		
5 CSR 80-805.016	Urban and Teacher Education	25	MoReg 2235		

DEPARTMENT OF TRANSPORTATION

7 CSR 10-1.010	Highways and Transportation Commission	25	MoReg 1830R		
	25	MoReg 1830		
7 CSR 10-2.010	Highways and Transportation Commission	24	MoReg 1367R		
	24	MoReg 1367		
7 CSR 10-8.010	Highways and Transportation Commission	25	MoReg 1529R	25 MoReg 1562R
7 CSR 10-8.011	Highways and Transportation Commission	25	MoReg 1529	25 MoReg 1563
7 CSR 10-8.020	Highways and Transportation Commission	25	MoReg 1530R	25 MoReg 1564R
7 CSR 10-8.021	Highways and Transportation Commission	25	MoReg 1532	25 MoReg 1565
7 CSR 10-8.030	Highways and Transportation Commission	25	MoReg 1535R	25 MoReg 1570R
7 CSR 10-8.031	Highways and Transportation Commission	25	MoReg 1535	25 MoReg 1570
7 CSR 10-8.040	Highways and Transportation Commission	25	MoReg 1536R	25 MoReg 1574R
7 CSR 10-8.041	Highways and Transportation Commission	25	MoReg 1537	25 MoReg 1574
7 CSR 10-8.050	Highways and Transportation Commission	25	MoReg 1537R	25 MoReg 1574R
7 CSR 10-8.051	Highways and Transportation Commission	25	MoReg 1538	25 MoReg 1575
7 CSR 10-8.060	Highways and Transportation Commission	25	MoReg 1541R	25 MoReg 1582R
7 CSR 10-8.061	Highways and Transportation Commission	25	MoReg 1542	25 MoReg 1582
7 CSR 10-8.070	Highways and Transportation Commission	25	MoReg 1542R	25 MoReg 1584R
7 CSR 10-8.071	Highways and Transportation Commission	25	MoReg 1542	25 MoReg 1584
7 CSR 10-8.080	Highways and Transportation Commission	25	MoReg 1543R	25 MoReg 1588R
7 CSR 10-8.081	Highways and Transportation Commission	25	MoReg 1544	25 MoReg 1588
7 CSR 10-8.090	Highways and Transportation Commission	25	MoReg 1545R	25 MoReg 1591R
7 CSR 10-8.091	Highways and Transportation Commission	25	MoReg 1546	25 MoReg 1591
7 CSR 10-8.101	Highways and Transportation Commission	25	MoReg 1548	25 MoReg 1597
7 CSR 10-8.111	Highways and Transportation Commission	25	MoReg 1549	25 MoReg 1597
7 CSR 10-8.121	Highways and Transportation Commission	25	MoReg 1550	25 MoReg 1600
7 CSR 10-8.131	Highways and Transportation Commission	25	MoReg 1552	25 MoReg 1603
7 CSR 10-8.141	Highways and Transportation Commission	25	MoReg 1553	25 MoReg 1606
7 CSR 10-8.151	Highways and Transportation Commission	25	MoReg 1555	25 MoReg 1610
7 CSR 10-8.161	Highways and Transportation Commission	25	MoReg 1556	25 MoReg 1614
7 CSR 10-8.200	Highways and Transportation Commission	25	MoReg 1557R	25 MoReg 1614R
7 CSR 10-8.210	Highways and Transportation Commission	25	MoReg 1558R	25 MoReg 1615R
7 CSR 10-8.220	Highways and Transportation Commission	25	MoReg 1558R	25 MoReg 1615R
7 CSR 10-8.230	Highways and Transportation Commission	25	MoReg 1558R	25 MoReg 1615R
7 CSR 10-8.240	Highways and Transportation Commission	25	MoReg 1559R	25 MoReg 1616R
7 CSR 10-8.250	Highways and Transportation Commission	25	MoReg 1559R	25 MoReg 1616R
7 CSR 10-8.260	Highways and Transportation Commission	25	MoReg 1560R	25 MoReg 1616R

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7 CSR 10-8.270	Highways and Transportation Commission	25 MoReg 1560R	25 MoReg 1617R	...	This IssueR
7 CSR 10 14.010	Highways and Transportation Commission	25 MoReg 635	25 MoReg 2097		
7 CSR 10 14.020	Highways and Transportation Commission	25 MoReg 629	25 MoReg 639		
7 CSR 10 14.030	Highways and Transportation Commission	25 MoReg 629	25 MoReg 639		
7 CSR 10 14.040	Highways and Transportation Commission	25 MoReg 630	25 MoReg 640		
7 CSR 10 14.050	Highways and Transportation Commission	25 MoReg 2045	25 MoReg 2102		
7 CSR 10 14.060	Highways and Transportation Commission	25 MoReg 641	25 MoReg 2102		
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8 CSR 5-1.010	Administration	25 MoReg 2103R			
8 CSR 10-2.020	Division of Employment Security	25 MoReg 1217	25 MoReg 2248		
8 CSR 10-4.160	Division of Employment Security	25 MoReg 1617	25 MoReg 2473		
8 CSR 30-3.010	Division of Labor Standards	25 MoReg 1066	25 MoReg 2248		
8 CSR 30-4.030	Division of Labor Standards	25 MoReg 1066	25 MoReg 2248		
8 CSR 50-7.050	Workers' Compensation	25 MoReg 1698			
8 CSR 50-7.060	Workers' Compensation	25 MoReg 1698			
8 CSR 50-7.070	Workers' Compensation	25 MoReg 1698			
8 CSR 60-3.040	Commission on Human Rights	24 MoReg 2565			25 MoReg 598RUC
8 CSR 70-1.010	MO Assistive Technology Advisory Council	25 MoReg 144T	25 MoReg 2237		
DEPARTMENT OF MENTAL HEALTH					
9 CSR 30-4.042	Certification Standards	25 MoReg 1955	25 MoReg 1961		
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-2.010	Air Conservation Commission				24 MoReg 420
10 CSR 10-2.030	Air Conservation Commission	25 MoReg 2292R			
10 CSR 10-2.205	Air Conservation Commission	25 MoReg 2292			
10 CSR 10-2.215	Air Conservation Commission	25 MoReg 2298R			
10 CSR 10-3.050	Air Conservation Commission	25 MoReg 2408			
10 CSR 10-4.030	Air Conservation Commission	25 MoReg 2298R			
10 CSR 10-5.050	Air Conservation Commission	25 MoReg 2298R			
10 CSR 10-5.070	Air Conservation Commission	25 MoReg 2298R			
10 CSR 10-5.330	Air Conservation Commission	25 MoReg 2224			
10 CSR 10-5.375	Air Conservation Commission	25 MoReg 1698			
10 CSR 10-6.070	Air Conservation Commission	25 MoReg 2299			
10 CSR 10-6.075	Air Conservation Commission	25 MoReg 1618			
10 CSR 10-6.080	Air Conservation Commission	25 MoReg 1618			
10 CSR 10-6.100	Air Conservation Commission	25 MoReg 1623			
10 CSR 10-6.120	Air Conservation Commission	25 MoReg 1218	25 MoReg 2473		
10 CSR 25	Hazardous Waste Management Commission	25 MoReg 2303			
10 CSR 25-12.010	Hazardous Waste Management Commission				This IssueRUC
10 CSR 40-3.010	Land Reclamation Commission	25 MoReg 1066	25 MoReg 2321		25 MoReg 2253
10 CSR 40-3.020	Land Reclamation Commission	25 MoReg 1066	25 MoReg 2321		
10 CSR 40-3.040	Land Reclamation Commission	25 MoReg 1067	25 MoReg 2321		
10 CSR 40-3.050	Land Reclamation Commission	25 MoReg 1070	25 MoReg 2321		
10 CSR 40-3.080	Land Reclamation Commission	25 MoReg 1071	25 MoReg 2321		
10 CSR 40-3.090	Land Reclamation Commission	25 MoReg 1072	25 MoReg 2322		
10 CSR 40-3.110	Land Reclamation Commission	25 MoReg 1072	25 MoReg 2322		
10 CSR 40-3.120	Land Reclamation Commission	25 MoReg 1073	25 MoReg 2322		
10 CSR 40-3.140	Land Reclamation Commission	25 MoReg 1074	25 MoReg 2322		
10 CSR 40-3.200	Land Reclamation Commission	25 MoReg 1074	25 MoReg 2322		
10 CSR 40-3.240	Land Reclamation Commission	25 MoReg 1078	25 MoReg 2323		
10 CSR 40-3.270	Land Reclamation Commission	25 MoReg 1078	25 MoReg 2323		
10 CSR 40-4.010	Land Reclamation Commission	25 MoReg 1079	25 MoReg 2323		
10 CSR 40-4.020	Land Reclamation Commission	25 MoReg 1079	25 MoReg 2323		
10 CSR 40-4.030	Land Reclamation Commission	25 MoReg 1080	25 MoReg 2323		
10 CSR 40-4.050	Land Reclamation Commission	25 MoReg 1081	25 MoReg 2323		
10 CSR 40-5.010	Land Reclamation Commission	25 MoReg 1081	25 MoReg 2324		
10 CSR 40-6.010	Land Reclamation Commission	25 MoReg 1082	25 MoReg 2324		
10 CSR 40-6.020	Land Reclamation Commission	25 MoReg 1083	25 MoReg 2324		
10 CSR 40-6.030	Land Reclamation Commission	25 MoReg 1083	25 MoReg 2324		
10 CSR 40-6.040	Land Reclamation Commission	25 MoReg 1084	25 MoReg 2324		
10 CSR 40-6.050	Land Reclamation Commission	25 MoReg 1085	25 MoReg 2325		
10 CSR 40-6.060	Land Reclamation Commission	25 MoReg 1087	25 MoReg 2325		
10 CSR 40-6.070	Land Reclamation Commission	25 MoReg 1088	25 MoReg 2326		
10 CSR 40-6.090	Land Reclamation Commission	25 MoReg 1089	25 MoReg 2326		
10 CSR 40-6.100	Land Reclamation Commission	25 MoReg 1090	25 MoReg 2326		
10 CSR 40-6.120	Land Reclamation Commission	25 MoReg 1091	25 MoReg 2326		
10 CSR 40-7.011	Land Reclamation Commission	25 MoReg 1092	25 MoReg 2327		
10 CSR 40-7.021	Land Reclamation Commission	25 MoReg 1094	25 MoReg 2327		
10 CSR 40-8.010	Land Reclamation Commission	25 MoReg 1095	25 MoReg 2327		
10 CSR 40-8.030	Land Reclamation Commission	25 MoReg 1101	25 MoReg 2327		

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10 CSR 40-8.050	Land Reclamation Commission		25 MoReg 1102	25 MoReg 2327	
10 CSR 40-8.070	Land Reclamation Commission		25 MoReg 1103	25 MoReg 2328	
10 CSR 40-9.020	Land Reclamation Commission		25 MoReg 1107	25 MoReg 2328	
10 CSR 40-10.010	Land Reclamation Commission		25 MoReg 1623		
10 CSR 40-10.020	Land Reclamation Commission		25 MoReg 1623		
10 CSR 40-10.040	Land Reclamation Commission		25 MoReg 1627		
10 CSR 40-10.100	Land Reclamation Commission		25 MoReg 1627		
10 CSR 140-2	Division of Energy				24 MoReg 2243

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11 CSR 10-1.010	Adjutant General		25 MoReg 2239		
11 CSR 10-1.020	Adjutant General		This Issue		
11 CSR 10-3.015	Adjutant General	25 MoReg 2193	25 MoReg 2239		
11 CSR 10-5.010	Adjutant General		This Issue		
11 CSR 10-5.015	Adjutant General		This Issue		
11 CSR 10-12.010	Adjutant General		25 MoReg 1700	This Issue	
11 CSR 10-12.020	Adjutant General		25 MoReg 1700	This Issue	
11 CSR 10-12.030	Adjutant General		25 MoReg 1700	This Issue	
11 CSR 10-12.040	Adjutant General		25 MoReg 1701	This Issue	
11 CSR 10-12.050	Adjutant General		25 MoReg 1701	This Issue	
11 CSR 10-12.060	Adjutant General		25 MoReg 1701	This Issue	
11 CSR 40-5.040	Division of Fire Safety		25 MoReg 2411		
11 CSR 40-5.050	Division of Fire Safety		25 MoReg 2411		
11 CSR 40-5.065	Division of Fire Safety		25 MoReg 2411		
11 CSR 40-5.090	Division of Fire Safety		25 MoReg 2412		
11 CSR 40-5.120	Division of Fire Safety	25 MoReg 2283	25 MoReg 2412		
11 CSR 45-1.090	Missouri Gaming Commission		25 MoReg 1114	25 MoReg 2328	
11 CSR 45-5.075	Missouri Gaming Commission		25 MoReg 1631	This Issue	
11 CSR 45-5.183	Missouri Gaming Commission		25 MoReg 2103		
11 CSR 45-11.110	Missouri Gaming Commission	25 MoReg 1679	25 MoReg 1702		
11 CSR 45-13.055	Missouri Gaming Commission		24 MoReg 2144		
11 CSR 50-2.200	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.270	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.320	Missouri State Highway Patrol		This Issue		
11 CSR 50-2.330	Missouri State Highway Patrol		This Issue		
11 CSR 75-6.020	Peace Officer Standards and Training		25 MoReg 1631	25 MoReg 2328W	
11 CSR 75-6.030	Peace Officer Standards and Training		25 MoReg 1631	25 MoReg 2473	
11 CSR 75-11.010	Peace Officer Standards and Training		25 MoReg 2307		
11 CSR 75-11.020	Peace Officer Standards and Training		25 MoReg 2307		
11 CSR 75-11.030	Peace Officer Standards and Training		25 MoReg 2308		
11 CSR 75-11.040	Peace Officer Standards and Training		25 MoReg 2309R		
11 CSR 75-11.070	Peace Officer Standards and Training		25 MoReg 2309		

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12 CSR	Construction Transient Employers				25 MoReg 1490
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12 CSR 10-3.004	Director of Revenue		25 MoReg 1702R	This IssueR	
12 CSR 10-3.005	Director of Revenue		25 MoReg 1703R	This IssueR	
12 CSR 10-3.006	Director of Revenue		25 MoReg 1703R	This IssueR	
12 CSR 10-3.007	Director of Revenue		25 MoReg 1703R	This IssueR	
12 CSR 10-3.098	Director of Revenue		25 MoReg 1456R	25 MoReg 2329R	
12 CSR 10-3.131	Director of Revenue		25 MoReg 2414R		
12 CSR 10-3.166	Director of Revenue		25 MoReg 1703R	This IssueR	
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12 CSR 10-3.262	Director of Revenue		25 MoReg 1704R	This IssueR	
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12 CSR 10-3.278	Director of Revenue		25 MoReg 1705R	This IssueR	
12 CSR 10-3.282	Director of Revenue		25 MoReg 1705R	This IssueR	
12 CSR 10-3.284	Director of Revenue		25 MoReg 1705R	This IssueR	
12 CSR 10-3.286	Director of Revenue		25 MoReg 1706R	This IssueR	
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12 CSR 10-3.336	Director of Revenue		25 MoReg 1706R	This IssueR	
12 CSR 10-3.460	Director of Revenue	25 MoReg 144			
12 CSR 10-3.516	Director of Revenue		25 MoReg 1456R	25 MoReg 2329R	
12 CSR 10-3.518	Director of Revenue		25 MoReg 1456R	25 MoReg 2329R	
12 CSR 10-3.520	Director of Revenue		25 MoReg 1456R	25 MoReg 2329R	
12 CSR 10-3.526	Director of Revenue		25 MoReg 1456R	25 MoReg 2329R	
12 CSR 10-3.528	Director of Revenue		25 MoReg 1457R	25 MoReg 2329R	
12 CSR 10-3.530	Director of Revenue		25 MoReg 1457R	25 MoReg 2329R	
12 CSR 10-3.590	Director of Revenue		25 MoReg 1706R	This IssueR	
12 CSR 10-3.834	Director of Revenue		25 MoReg 1707R	This IssueR	
12 CSR 10-3.850	Director of Revenue		25 MoReg 1707R	This IssueR	
12 CSR 10-3.852	Director of Revenue		25 MoReg 1457R	25 MoReg 2330R	
12 CSR 10-3.866	Director of Revenue		25 MoReg 1707R	This IssueR	
12 CSR 10-4.145	Director of Revenue		25 MoReg 1707R	This IssueR	
12 CSR 10-4.255	Director of Revenue		25 MoReg 1457R	25 MoReg 2330R	
12 CSR 10-4.260	Director of Revenue		25 MoReg 1458R	25 MoReg 2330R	

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12 CSR 10-4.265	Director of Revenue	25 MoReg 1458R	...25 MoReg 2330R	
12 CSR 10-4.275	Director of Revenue	25 MoReg 1458R	...25 MoReg 2330R	
12 CSR 10-4.330	Director of Revenue	25 MoReg 1458R	...25 MoReg 2330R	
12 CSR 10-4.624	Director of Revenue	25 MoReg 2414R		
12 CSR 10-5.080	Director of Revenue	25 MoReg 1459R	...25 MoReg 2330R	
12 CSR 10-11.150	Director of Revenue	25 MoReg 1459R	...25 MoReg 2331R	
12 CSR 10-23.446	Director of Revenue	25 MoReg 1832		
12 CSR 10-24.050	Director of Revenue	25 MoReg 1459	...25 MoReg 2331	
12 CSR 10-24.070	Director of Revenue	25 MoReg 1963		
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12 CSR 10-24.190	Director of Revenue	25 MoReg 1963		
12 CSR 10-24.200	Director of Revenue	25 MoReg 1963		
12 CSR 10-24.310	Director of Revenue	25 MoReg 1709R	...This IssueR	
12 CSR 10-24.460	Director of Revenue	25 MoReg 1709		
12 CSR 10-25.030	Director of Revenue	25 MoReg 1710This Issue	
12 CSR 10-25.050	Director of Revenue	25 MoReg 2415		
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12 CSR 10-25.150	Director of Revenue	25 MoReg 2420		
12 CSR 10-103.370	Director of Revenue	25 MoReg 1833		
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12 CSR 10-103.560	Director of Revenue	25 MoReg 2241		
12 CSR 10-103.600	Director of Revenue	25 MoReg 1833		
12 CSR 10-103.700	Director of Revenue	25 MoReg 2422		
12 CSR 10-103.800	Director of Revenue	25 MoReg 2422		
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12 CSR 10-104.030	Director of Revenue	25 MoReg 1965		
12 CSR 10-108.600	Director of Revenue	25 MoReg 1836		
12 CSR 10-110.200	Director of Revenue	25 MoReg 2423		
12 CSR 10-110.220	Director of Revenue	25 MoReg 1837		
12 CSR 10-110.950	Director of Revenue	25 MoReg 2242		
12 CSR 10-110.990	Director of Revenue	25 MoReg 1966		
12 CSR 10-111.013	Director of Revenue	24 MoReg 2632	...25 MoReg 558	
	<i>(Changed to 12 CSR 10-110.013)</i>				
12 CSR 10-112.010	Director of Revenue	25 MoReg 1838		
12 CSR 10-113.300	Director of Revenue	25 MoReg 1839		
12 CSR 10-115.100	Director of Revenue	25 MoReg 1459	...25 MoReg 2331	
12 CSR 30-3.025	State Tax Commission	25 MoReg 2242		
12 CSR 40-20.030	State Lottery	25 MoReg 2424		
12 CSR 40-40.230	State Lottery	25 MoReg 2424		
12 CSR 40-40.250	State Lottery	25 MoReg 2424		
12 CSR 40-60.010	State Lottery	25 MoReg 2425		
12 CSR 40-60.030	State Lottery	25 MoReg 2425		
12 CSR 40-85.005	State Lottery	25 MoReg 1710This Issue	
12 CSR 40-85.010	State Lottery	25 MoReg 1711This Issue	
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12 CSR 40-85.080	State Lottery	25 MoReg 1712This Issue	
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12 CSR 40-85.130	State Lottery	25 MoReg 1713R	...This IssueR	
12 CSR 40-85.140	State Lottery	25 MoReg 1713This Issue	
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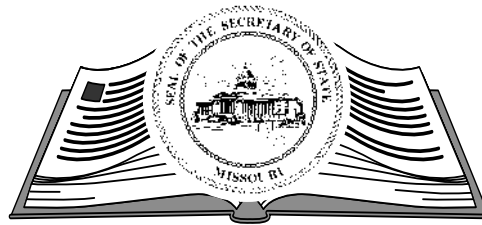
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